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STATUS OF PREPARATION OF PUBLICATIONS, STUDIES AND DOCUMENTS FOR THE WORLD CONFERENCE

Report of the Secretary-General

Addendum

1. The attention of the Preparatory Committee is drawn to the attached study entitled "Strengthening of the United Nations human rights programme: one of the priorities of the Organization", prepared by Ms. Maria Vassiliou. The study was commissioned by the Centre for Human Rights pursuant to General Assembly resolutions 45/155 of 18 December 1990 and 46/116 of 17 December 1991.

2. The theme of the study corresponds to the sixth objective of the World Conference on Human Rights; this objective, set out in paragraph 1 (f) of resolution 45/155, is the following:

> "To make recommendations for ensuring the necessary financial and other resources for the United Nations activities in the promotion and protection of human rights and fundamental freedoms".

3. Indicative annotations issued by the Secretariat of the World Conference relating to the theme of the following study are to be found in paragraph 15 of document A/CONF.157/PC/20.

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STRENGTHENING OF THE UNITED NATIONS HUMAN RIGHTS PROGRAMME: ONE OF THE PRIORITIES OF THE ORGANIZATION

by

Maria Vassiliou

Note: Unedited text for circulation to the fourth session of the Preparatory Committee. The final edited version will be prepared for the World Conference.

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ABBREVIATIONS

ACABQ	Advisory Committee on Administrative and Budgetary Questions
ASG	Assistant Secretary-General
CAT	Committee Against Torture
CEDAW	Committee on the Elimination of Discrimination Against Women
CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
CHR	Centre for Human Rights
CPC	Committee for Programme and Coordination
DG	Director-General
ECOSOC	Economic and Social Council
FAO	Food and Agriculture Organization
GA/5th Comm	General Assembly/ Fifth Committee
GA/3rd Comm	General Assembly/ Third Committee
IBRD	International Bank for Reconstruction and Development
ICRC	International Commission of the Red Cross
ILO	International Labour Organisation
IMF	International Monetary Fund
INSTRAW	International Training and Research Institute for the Advancement of Women
IYWIP	International Year for the World's Indigenous People
MAS	Management Advisory service
NGO	Non-governmental organization
OPPBF	Office of Programming Planning, Budgeting and Finance
PBI	Programme Budget Implications
PPBB	Planning, Programming and Budgeting Board
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Fund for Population Activities
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNICRI	United Nations Interregional Crime and Justice Research Institute
UNIDO	United Nations Industrial Development Organization
UNITAR	United Nations Institute for Training and Research
UNOG	United Nations Office in Geneva
UNRISD	United Nations Research Institute for Social Development
UNU	United Nations University
USG	Under-Secretary-General
WHO	World Health Organization

INTRODUCTION

A. Approach adopted

1. The present study deals with the strengthening of the position of human rights as one of the priorities of the United Nations system, with emphasis on the need for coordination and cooperation within and outside the Organization and on the financial and other resources needed for the United Nations human rights programme.

2. For the preparation of the study, the author took into account the following:

(a) Statements by Member States, United Nations bodies and organs, non-governmental organizations, etc. in the Third Committee of the General Assembly, the Economic and Social Council, the Commission on Human Rights and the Preparatory Committee for the World Conference on Human Rights;

(b) Various United Nations documents relating to human rights issues, including those submitted to the Preparatory Committee for the World Conference on Human Rights (reports of the Secretary-General, human rights treaty bodies, working groups, persons chairing the treaty bodies, special rapporteurs, independent experts, etc.).

3. Furthermore, the author gained knowledge of the situation within the Centre for Human Rights, by contacting various staff members and by reviewing a considerable amount of material, including internal documents, such as the Management Advisory Service (MAS) Report of 1990-1991, as well as documents relating to administrative and financial matters.

4. This study contains available data until the end of 1992. Additional information was included, relating to the 49th session of the Commission on Human Rights (February-March 1993), concerning only new mandates (special rapporteurs, etc.), as well as the resolution on the strengthening of the Centre for Human Rights, adopted at that session.

B. Scope and objectives of the study

5. (a) To review and assess the activities of the human rights programme as a whole, based on the development and the evolution of the programme itself as it takes shape for the coming years;

(b) To make recommendations (i) for the strengthening of the position of human rights as one of the priorities of the Organization, with emphasis on coordination and cooperation within and outside the United Nations system and (ii) for the strengthening of the Human Rights Programme and of the Centre for Human Rights, with emphasis on ensuring the necessary financial and other resources for human rights activities.

C. General orientation

6. Human rights issues have moved to the top of the international political agenda and have gained an unprecedented momentum. Given this momentum, the international community unanimously decided (General Assembly resolution 45/155 of 18 December 1990) to convene at a high level a World Conference on Human Rights in 1993, which is expected to review the progress achieved since the adoption of the Universal Declaration of Human Rights and to chart the main direction for the future of the human rights programme.

7. In trying to provide a new direction for the future of human rights, one of the main objectives of the 1993 World Conference is to consider ways and means to strengthen the position of human rights as one of the priorities of the United Nations.

8. As the Secretary-General clearly indicated in his 1992 report to the General Assembly on the status of the Organization "The Charter of the United Nations places the promotion of human rights as one of our priority objectives along with promoting development and preserving international peace and security", 1/ and in his 1990 annual report "Resolution of conflicts, observance of human rights and the promotion of development, together weave the fabric of peace; if one of these strands is removed, the tissue will unravel". 2/

9. Present international trends show clearly that the world's nations turn increasingly to the United Nations and to its human rights organs for peaceful and constructive solutions to human rights problems. As the role of the United Nations human rights organs become progressively operational, the Secretariat for Human Rights evolves from being a body largely concerned with the servicing of essentially deliberative bodies to a primary international instrument for the attainment of the Charter's purposes and principles.

10. In this context, the human rights programme is evolving from standard-setting activities, where it has made remarkable progress, to the implementation of the human rights international standards. Its operational activities are forcefully moving toward creating the conditions necessary for the implementation process and for a universal culture of human rights, which will reflect the revitalized interests and concerns of humanity in its entirety and all its diversity.

11. The United Nations human rights activities have greatly expanded as a result of recent global events and of a series of new mandates by legislative organs, principally the General Assembly, the Economic and Social Council, the Commission on Human Rights and the human rights expert bodies. Consequently, the workload of the Centre for Human Rights, which is the primary organizational unit within the Secretariat responsible for the implementation of the human rights programme, has increased dramatically between 1980 and 1992, while the human and financial resources of the Centre have not kept pace with the increase.

12. In Chapter I, the human rights programme of the United Nations is reviewed and assessed as it relates to the need for coordination and cooperation within and outside the Organization, including recommendations for an integrated and holistic approach in dealing with human rights.

13. Chapter II contains a review and assessment of the activities of the human rights programme and the functions of the Centre for Human Rights, as well as recommendations concerning the strengthening of the position of human rights as one of the priorities of the United Nations system.

14. Chapter III contains (a) recommendations for the increase of resources for the Human Rights Programme and, in particular, for the Centre for Human Rights, needed for the implementation of the human rights activities of the Organization, and (b) recommendations for the improvement of certain financial procedures to fit better the needs of the human rights programme.

15. Chapter IV is a summary of all the recommendations contained in Chapters I, II and III.

I. COORDINATION AND COOPERATION WITHIN AND OUTSIDE THE UNITED NATIONS SYSTEM RELATING TO HUMAN RIGHTS ACTIVITIES

A. The need for a coordinating mechanism in the field of human rights

16. **Annex I** contains the United Nations bodies and organs involved in the human rights programme. As shown therein, the formulation, implementation and follow up of the activities of the human rights programme involve numerous United Nations entities.

17. With the recent world political events, human rights issues are increasingly reflected in almost all aspects of the work of the Organization. In this process, many United Nations organs and agencies have been asked by their legislative bodies to incorporate issues related to human rights into their regular programmes. Consequently, parallel and interrelated activities are carried out within the United Nations system.

18. The multidisciplinary nature of human rights issues and the interdependence of all the activities in this field have resulted in creating a complex United Nations system of bodies involved in the human rights programme, which has grown, and is continuously growing, not only in terms of numbers but also in terms of complexity. This is due to various factors, among which are the following:

(1) The interdependence between peace and security, democratic processes, respect for human rights and economic and social development is increasingly reflected in the mandates of the United Nations policy-making organs. This interrelationship involves various entities of the Organization in policy-making and in the implementation of the mandated activities, i.e. those dealing with peace and security, with human rights, with economic and social development, etc. It is noted, however, that the Centre for Human Rights is not involved in certain of these activities, for example, in the consideration of issues relating to human rights in the Security Council.

(2) The growing complexity and the mutually reinforcing nature of the subjects dealt with by the human rights bodies have implications for the activities of other sectors of the United Nations, which are increasingly injecting the human rights dimensions into their activities.

(3) The new type of human rights instruments, such as the Convention on the Rights of the Child and the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (not yet in force), cover all, or almost all, the range of human rights focused on a particular group. The realization of these rights is dependent on the interaction among the various United Nations bodies, whose activities are related to the specific human rights issues. The example of the Convention on the Rights of the Child is illustrative. An expert committee has been set up to monitor compliance with that Convention; a special rapporteur of the Commission on Human Rights is concerned with the sale of children; the Sub-Commission's working group on Contemporary Forms of Slavery, UNICEF, ILO and UNESCO have specific mandates concerning the rights of children.

19. In the United Nations system of bodies involved in the human rights programme there are overlapping and duplicating activities related to human rights, resulting in inadequate response by the Organization in the field of human rights, as well as in waste of human and financial resources.

20. There are many United Nations resolutions calling for a coordinated approach on human rights issues. 3/ Yet, no structured coordinating mechanism has been established within the Organization in the field of human rights.

21. In summary: The growing complexity of the United Nations system of bodies involved in the human rights programme without a coordinating mechanism in this field has adverse consequence for the effectiveness and efficiency of the Organization in the promotion and protection of human rights, resulting in overlapping and duplication of work, as well as waste of resources. Therefore, a structured coordinating mechanism should be established with the Centre for Human Rights which would facilitate the smooth progress of human rights activities within and outside the United Nations system.

22. Coordination activities would include United Nations bodies and organs involved in the human rights programme, units of the Secretariat dealing with issues directly linked with human rights, as well as international and regional organizations (International Committee of the Red Cross, Commonwealth Secretariat, Conference on Security and Cooperation in Europe, Council of Europe, Organization of African Unity, Organization of American States, etc.), academic and research institutions and non-governmental organizations.

B. The present and future coordinating role of the Centre for Human Rights

23. In carrying out its mandate on coordination and cooperation within the United Nations system and with a view to avoiding waste of resources through overlapping of activities, the Centre for Human Rights is engaged in coordination with other United Nations bodies, specialized agencies and other intergovernmental organizations. This is achieved by holding annual interagency meetings, joint working groups and ad hoc consultations. The Centre has also been invited to participate in coordinating meetings organized by other United Nations bodies.

24. The Centre convened the fourth inter-agency meeting on human rights issues on 25 June 1992. This meeting was attended by representatives of: the Department of Public Information, the Division for the Advancement of Women and the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs at Vienna, UNDP, UNICEF, UNHCR, UNICRI, ILO, UNESCO, WHO, the International Committee of the Red Cross and the Commonwealth Secretariat.

25. The main objective of the inter-agency meetings is to provide the setting where representatives of United Nations agencies and other organs have a chance to review their respective activities in the area of human rights. Given the recent trend highlighted by the international community in acknowledging the interrelationship between human rights, democratic process,

and development, the coordinating meetings aim further at injecting human rights elements in all actions toward development.

26. Due to the increase in the democratization process in many parts of the world the requests from Governments for human rights assistance are rapidly increasing. In this context, developing the Centre's coordination and cooperation with other United Nations bodies, as well as international organizations and non-governmental organizations, is of particular importance for the Centre's activities aimed at establishing or strengthening democratic institutions and national and regional infrastructures for the promotion and protection of human rights under the rule of law.

27. United Nations development cooperation agencies should inject human rights dimensions in their activities. Training courses, information, and education in the field of human rights for officials of United Nations bodies and agencies would provide the setting where these officials can review the respective activities of their units in the area of human rights. At the same time, the Centre for Human Rights, as well as the human rights treaty bodies, could take full advantage of the expertise and experience of the United Nations development agencies.

28. Furthermore, taking into account the important and constructive role of the non-governmental organizations, the Centre could organize system-wide coordination gatherings with NGOs on a variety of issues. Independent NGOs are crucial to the United Nations human rights programme in all its aspects, standard-setting, implementation methods, and promotional activities.

29. The inter-agency meetings organized by the Centre for Human Rights allow participants to exchange information on the activities in the field of human rights carried out by the respective organizations with a view to identifying, planning and implementing joint projects. However, these meetings are not of a structured nature. The participation is not regular and the discussions carried out are factual descriptions of what the various organs are doing. There is no constructive preparation, substantive reporting or other follow-up measures.

30. Suggestions were made during these meetings for the improvement of cooperation and coordination in the field of human rights within the United Nations system, in order to benefit reciprocally from substantive and practical experience and to avoid duplication. **It is necessary that coordination should be of a structured nature.**

31. It is suggested, therefore, that the coordinating meetings should adopt a systematic approach, which would include the following:

(a) Constructive preparation for the coordinating meetings in the form of planning, as well as official documentation;

(b) Follow-up measures (substantive reporting, listing the information and ideas gathered, decisions taken, agreements made and courses of action).

32. Furthermore, coordination could include:

(a) Designation of focal points;

(b) Establishment of a coordination unit within the Centre, i.e. a team of experts to coordinate with agencies (combined team of experts on human rights from the Centre for Human Rights, on development from United Nations agencies, on social issues from the Centre for Social Development and Humanitarian Affairs, on refugees from UNHCR, etc.).

33. In addition to the above, it is important to expand the list of issues for coordinating activities in more areas than those mainly covered at present (Decade to Combat Racism and Racial Discrimination, Advisory Services and Technical Assistance, and Information), i.e. in areas such as development, women, children, refugees, minorities, indigenous peoples, etc.

34. Following is a brief description on how coordinating activities in the field of human rights affect these issues:

1. Development process and the human rights dimension

35. As is becoming more and more evident that sustainable development cannot be achieved without paying due attention to the enjoyment of human rights by all, there is growing recognition of the need to expand and deepen the coordination and cooperation between the Centre for Human Rights and United Nations development agencies. This will benefit the countries requesting technical assistance for the establishment or strengthening of national infrastructures to meet international standards. Thus, the United Nations development operational activities should have as their objectives both the improvement of living conditions - economic, social and cultural - and the promotion of human rights which are the guarantees for the rule of law, political stability and peace.

36. Topics related to development and human rights are under consideration in the Commission on Human Rights and the Sub-Commission, including extreme poverty, foreign debt, structural adjustment policies, the realization of the right to development. Furthermore, several initiatives are under way for economic development by various United Nations bodies and specialized agencies, such as UNDP, the World Bank, etc.

37. Coordination between the Centre for Human Rights and all United Nations bodies and agencies dealing with development issues, aiming at developing joint projects and coordinated activities, would greatly enhance the effectiveness and efficiency of the United Nations, as a whole, in responding to the needs/requests of the nations for establishing or strengthening national infrastructures for the purpose of achieving sustainable development, based on democratic processes and respect for human rights.

2. Women and human rights

38. It is evident that all human rights instruments contain provisions against the discrimination based on sex. This implies that the human rights treaty bodies, in exercising their supervisory role, should include a gender

perspective into the implementation of the provisions of the relevant human rights treaties. Research and studies are needed, in cooperation with the Division for the Advancement of Women of the Centre for Social Development and Humanitarian Affairs, directed at identifying the fundamental elements which impede women from enjoying, on an equal basis with men, the specific human rights contained in the human rights instruments. In dealing with flagrant violations of human rights, the global issue of violence against women in the family, in detention, etc., should be studied as to how it is applied in practice in the overall context of the implementation of the human rights programme.

39. The multidisciplinary nature of women's issues was adequately reflected in the Medium-Term Plan for 1992-1997. 4/ Economic development, structural adjustment, poverty, refugees, children, are inextricably linked with women and human rights. In the development of human rights strategies, including technical cooperation assistance programmes, attention should be paid to the integration of gender aspects into these programmes, in particular, the integration of women in the development process, the eradication of poverty and the problems of specific vulnerable groups, such as the aged, which affect mostly women.

40. The Centre for Human Rights, in continuing to promote the full implementation of ongoing programmes, should adapt these programmes on the basis of decisions adopted by intergovernmental bodies, such as the Commission on the Status of Women, the Forward-Looking Strategies for the Advancement of Women, the Commission for Social Development, the Commission on Crime Prevention and Criminal Justice, etc.

3. The rights of children

41. The multidisciplinary nature of the rights of children involves many human rights bodies, as well as other United Nations bodies, such as UNICEF, ILO and UNESCO, which have specific mandates concerning the rights of children. Coordination of the activities within the United Nations system for the promotion and protection of the rights of children, as contained in the Convention of the Rights of the Child, would facilitate the flow of information and encourage joint endeavour, including substantive educational programmes, research and studies aimed at the protection of children in all aspects. The role of the Centre for Human Rights in all the joint efforts directed at the protection of the rights of children is of particular importance due to the experience gained and the expertise available in the Centre.

4. Refugees and human rights

42. The relevance of the human rights dimension to refugee protection has been firmly established in the international instruments relating to human rights and those relating to the protection of refugees. "The Executive Committee of the Programme of the United Nations High Commissioner for Refugees has specifically acknowledged the direct relationship between observance of human rights standards, refugee movements and problems of protection." 5/

43. The General Assembly, in its resolution 46/127 of 17 December 1991, especially encouraged the Secretary-General to implement the recommendations of the Joint Inspection Unit contained in its report on the coordination of activities related to early warning of possible refugee flows, 6/ and invited bodies of the United Nations system to consider the most expedient ways and means of following up these recommendations.

44. Cooperation between the Centre for Human Rights, the United Nations High Commissioner for Refugees (UNHCR), and the International Committee of the Red Cross (ICRC) is of particular importance. "United Nations special rapporteurs, independent experts and working groups in the field of human rights and UNHCR and ICRC have benefited mutually from the experience gained in the execution of their respective mandates. Senior staff of UNHCR and ICRC made available their expertise in a number of workshops and training courses on human rights organized by the Centre." 7/

45. Coordinating activities organized by the Centre for Human Rights in the context of advisory services relating to mass exoduses, refugees and displaced persons have been very useful as forms of practical assistance to States, with a view to enabling them to develop the necessary infrastructure to meet international human rights standards.

5. Minorities

46. Both the Commission on Human Rights and its Sub-Commission deal specifically with the protection of minorities, including under the 1503 procedure. Special rapporteurs on country situations and on thematic issues are in many instances involved in matters concerning minorities. ILO and UNESCO also play an important role in this field. The ILO Convention concerning Discrimination in respect of Employment and Occupation (1958), as well as the UNESCO Convention against Discrimination in Education (1960) have a direct bearing on minority rights issues. Furthermore, the United Nations Research Institute for Social Development is working toward an understanding of the causes and consequences of ethnic tension and violence. The United Nations University is engaged in research on ethnic conflict and well-being of minorities.

47. At present, there is no coordination between the Centre for Human Rights and other United Nations bodies involved in the protection of minorities.

48. As the issues of minorities evolve under present international conditions, in many instances tensions among ethnic minorities give rise to regional conflicts and threaten international peace and security. Many recent involvements of the United Nations in peace and security matters mandated by the Security Council are closely related with human rights issues; many of them have a content of minority issues and the protection of vulnerable groups. In this regard, coordination and cooperation within and outside the United Nations system would facilitate the smooth process of the activities and would enhance the effectiveness and efficiency of the Organization in this field.

49. In the context of advisory services and technical assistance offered by the Centre for Human Rights, "Governments may seek aid for improving the

situation of national minorities, including the organization of national and regional training programmes, workshops and seminars and the granting of fellowships and internships". 8/ In this respect, and in view of the interrelationship between minority issues and economic and social development, consideration could be given to developing close cooperation between the Centre for Human Rights and international development agencies, as well as United Nations organs and bodies involved in economic and social matters.

6. Indigenous peoples

50. As mentioned in General Assembly resolution 45/164 of 18 December 1990, the International Year for the World's Indigenous People was proclaimed "with a view to strengthening international cooperation for the solution of problems faced by indigenous communities in areas such as human rights, the environment, development, education and health".

51. The Commission on Human Rights, by its resolution 1992/45 of 6 March 1991, acknowledged the appointment of the Under-Secretary-General for Human Rights as the Coordinator of the International Year for the World's Indigenous People, with functional duties being assigned to the Centre for Human Rights. The Programme of activities for the IYWIP adopted by the General Assembly, inter alia, stresses the need for cooperation and coordination, in particular with the Department of Public Information of the United Nations Secretariat and furthermore within the United Nations system. 9/

52. The Working Group on Indigenous Populations is the centre of indigenous rights activity in the United Nations. The focus shifts to the parent bodies, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Commission on Human Rights, when the Working Group's reports are being reviewed and discussed.

53. At present, the coordinating activities in this field are confined to inter-agency meetings on indigenous and tribal peoples. The third meeting of this kind took place in April 1992, in Geneva, in which the following United Nations organizations, departments, and specialized agencies participated: Centre for Human Rights, ILO, WHO, World Bank, UNICEF, UNESCO, UNHCR, UNDP, and Department of Public Information. Furthermore, the Coordinator of the International Year for the World's Indigenous People, the Under-Secretary-General for Human Rights, convened, in accordance with General Assembly resolution 46/128 of 17 December 1991, a Technical Meeting on the International Year, which was held in March 1992. 10/

54. Activities in the field of indigenous peoples are interrelated with activities which cover a wide spectrum of issues, where many United Nations agencies and bodies are involved: human rights (Commission on Human Rights, treaty monitoring bodies, Working Group on Indigenous Populations, Centre for Human Rights, UNHCR, ILO), development (Department of Economic Development, UNICEF, UNDP, UNEP, ILO, World Bank, International Fund for Agricultural Development), education and culture (UNESCO), health (UNICEF, WHO), public events and information (Centre for Human Rights, Department of Public Information).

55. In view of the above considerations, coordination of activities within the United Nations system should be intensified and action-oriented; it should aim at enhancing the effectiveness and efficiency of the Organization in dealing with the problems faced by 300 million indigenous people.

56. Summarizing the coordinating role of the Centre for Human Rights it should be emphasized that there is need for a strengthened and systematic coordination within and outside the United Nations system, which should include activities in all the above-mentioned issues, i.e. the elimination of racial discrimination, technical cooperation, information, development, women, children, refugees, minorities, indigenous peoples, as well as other issues which could benefit from the coordinating activities of the Centre.

C. Recommendations

57. On the basis of the above review and assessment, the following recommendations relating to the need for coordination and cooperation for human rights activities within and outside the United Nations system, could be considered for the strengthening of the human rights programme.

Recommendation 1:

Strengthening of the coordinating role of the Centre for Human Rights within and outside the United Nations system

58. The strengthening of the role of the Centre for Human Rights, as a focal point and coordinating unit for human rights activities within the Secretariat, has been requested by General Assembly resolution 47/127 of 18 December 1992 and Commission on Human Rights resolutions 1993/52 of 9 March 1993, 1991/22 of 5 March 1991, 1991/26 of 5 March 1991, and 1989/54 of 7 March 1989.

59. The Management Advisory Service (MAS) Report of 1991, 11/ referring to the need for coordination within the Organization in order to avoid overlapping and duplication of activities, noted that "this could be avoided if the Centre were assigned the lead role in coordinating such activities on a system-wide basis (similar to the role of UNDP as the central coordinating and funding mechanism for United Nations technical cooperation programmes)".

60. Coordination by the Centre for Human Rights in human rights activities within and outside the United Nations system would include United Nations bodies and agencies - taking into account their respective competence and the division of labour - units of the Secretariat involved in the human rights programme, as well as international, regional and national organizations, academic and research institutions, and non-governmental organizations.

61. One of the main objectives of the World Conference is to ensure coordination within and outside the United Nations system for promotional activities aimed at establishing or strengthening national infrastructures for the promotion and protection of human rights. Central in the human rights programme is the promotion of democracy since it is an essential element for sustainable development and for the full enjoyment of all human rights, economic, social and cultural, civil and political. In this regard, the

coordinating role of the Centre for Human Rights should be strengthened in order to be able to respond to the rapidly increasing requests by governments for establishing or strengthening of democratic institutions.

62. In the context of streamlining United Nations activities, and in view of the need for a strengthened coordination within and outside the Organization in the field of human rights, **consolidation of activities relating to human rights** would enhance the effectiveness of the Organization in this field, while duplication and overlapping of activities, as well as waste of resources, would be avoided.

63. This would mean that the units of the Secretariat dealing with issues directly related to human rights (the Division for the Advancement of Women and the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs at Vienna, as well as the Centre against Apartheid and the Division for Palestinian Rights of the Department for Political Affairs at New York) should be consolidated with the Centre for Human Rights.

64. The issues relating to **women** and to the **administration of justice** would be better integrated into, and coordinated with, the mainstream human rights agenda. The Commission on the Status of Women - together with the Commission on Human Rights - was serviced, from 1947 until 1974, by the (then) Division of Human Rights, as it was considered that the rights of women should not be separated from the human rights issues. Of particular importance is the need for greater interaction between the Committee on the Elimination of Discrimination against Women (CEDAW) and the other human rights treaty bodies, and the need for CEDAW to be kept fully informed of developments concerning the activities of the Centre for Human Rights. 12/ The mandates relating to the **administration of justice** assigned to the Centre are steadily growing in the area of studies and research activities (see para. 95), while the Advisory Services and Technical Assistance Programme of the Centre is expanding its activities relating to providing assistance for the establishment of an independent judiciary, training to national officials involved in the administration of justice, such as judges, lawyers, military officials, etc. (see para. 97).

65. The need for a unified approach to servicing and for the flow of information applies also to the activities of the Centre against Apartheid and the Division for Palestinian Rights of the Department of Political Affairs in New York. The Special Committee against Apartheid is serviced by the Centre against Apartheid, which deals with racial discrimination and apartheid, issues covered mainly by the Commission on Human Rights and its secretariat. The Committee on the Exercise of the Inalienable Rights of the Palestinian People is serviced by the Division for Palestinian Rights while the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories is serviced by the Centre for Human Rights. Duplication and overlapping of activities in both these areas is unavoidable resulting in lack of effectiveness and waste of resources.

66. **Annex II** shows the United Nations bodies dealing with human rights issues and the respective servicing Secretariat units.

67. In summary, the role of the Centre for Human Rights, as the focal point for human rights activities and the primary organizational unit within the Secretariat responsible for the implementation of the human rights programme, should be strengthened as follows:

(a) A coordination unit should be established, under the Director of the Centre for Human Rights, to deal with coordination within and outside the United Nations system, i.e. interagency meetings and cooperation with international and regional organizations, academic institutions and non-governmental organizations (see para. 22). Coordination should be of a structured nature and should include a wide range of human rights issues (see paras. 30-56).

(b) The Division for the Advancement of Women and the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs at Vienna, as well as the Centre against Apartheid and the Division for Palestinian Rights of the Department for Political Affairs at New York, should be consolidated with the Centre for Human Rights. To this end, the only effective way would be the transfer of these units to Geneva, where the Centre for Human Rights is located.

(c) A Senior Inter-Agency Group should be established, in which the heads of the United Nations bodies and units of the Secretariat, concerned with human rights activities would participate. This Group, headed by the Director of the Centre for Human Rights, would meet every six months to review and assess ongoing activities related to human rights.

(d) The annual report of the Secretary-General on the work of the Organization should give more emphasis on the growing importance of human rights and the increased involvement of the United Nations in human rights activities.

(e) The Assistant Secretary-General for Human Rights should prepare an annual report on global human rights issues, designed to draw attention to pressing problems and major trends in this field, eliciting information from the activities of the Centre for Human Rights and its coordinating role within and outside the United Nations system. This report could be submitted to the Commission on Human Rights and the General Assembly.

Recommendation 2:

Strengthening of the political role of the Assistant Secretary-General for Human Rights

68. The strengthening of the political role of the Assistant Secretary-General for Human Rights is essential for an integrated approach to the objectives of peace and human rights.

69. The Secretary-General, in his 1992 annual report stated that "Preventing violations before they occur is also of primary importance. The United Nations must be able to identify situations which could degenerate into violations and to take preventive measures". 13/ In this context, the Assistant Secretary-General for Human Rights could, under the direction of the

Secretary-General, play an important political role, focusing the attention of the world's opinion on matters of utmost concern to the United Nations and the international community relating to human rights. The Assistant Secretary-General for Human Rights could assist in monitoring and analysing human rights violations before they could become a threat to peace and security. For example, he could be given a mandate to initiate discussions and enter into cooperative arrangements with governments about trouble spots, with an emphasis on prevention and good offices, aiming primarily at dialogue, mediation and the offering of technical assistance.

70. Indeed, the Secretary-General, in the context of a renewed preventive diplomacy, increasingly involves the Centre for Human Rights in peace operational activities relating to human rights. This was the case in the recent fact-finding missions headed by the former Under-Secretary-General for Human Rights, Mr. Antoine Blanca, to Georgia, and by the Assistant Secretary-General for Human Rights, Mr. Ibrahima Eall, to Latvia at the invitation of these governments.

Recommendation 3:

Increase the cooperation between the Security Council and the Commission on Human Rights

71. The Security Council is entrusted by the Charter to decide on enforcement actions in situations which threaten international peace and security. Such situations often arise from persistent and gross violations of human rights. This is evident especially at the present international situation, where the Security Council is increasingly utilized by the international community in matters related to human rights. Indeed, the involvement of the Security Council in peaceful settlements, such as the verification of the Agreement on human rights concluded in El Salvador, the plan for the implementation of the settlement proposals for Western Sahara, the negotiations concerning Cambodia, the independence plan for Namibia, the operational activities in Iraq, and most recently in Somalia and the former Yugoslavia, all have a substantial human rights content.

72. The Security Council recognized at its January 1992 meeting at the level of Heads of State and Government, that "the absence of war and military conflicts amongst States does not in itself ensure international peace and security. The non-military sources of instability in the economic, social, humanitarian and ecological fields have become threats to peace and security. The United Nations membership as a whole, working through the appropriate bodies, needs to give the highest priority to the solution of these matters". 14/ Similarly, the Secretary-General in his 1992 annual report noted that "respect for human rights is clearly important in order to maintain international peace and security". 15/

73. Substantive cooperation between the Security Council and the Commission on Human Rights is of particular importance for prevention, promotion and protection in the field of human rights. As the Secretary-General stated in his 1992 annual report "There has never been a more evident need for an integrated approach to (a) the objectives of peace, democracy and human rights and the requirements of development". 16/ Furthermore, he proposed that

ways should be explored "of empowering the Secretary-General and expert human rights bodies to bring the massive violations of human rights to the attention of the Security Council together with recommendations for action". 17/ In this regard the persons chairing the human rights treaty bodies at their 4th meeting of 1992 noted that "the term 'massive', as used in this context, should be interpreted in the light of the January 1992 statement of the Security Council and should therefore encompass the persistence of massive structural violations of the full range of human rights". 18/ They further recommended that "it might be appropriate for a member of one of the treaty bodies to be included as part of the commission of experts appointed pursuant to Security Council resolution 780 (1992) to consider evidence of grave breaches of international humanitarian law in the territory of the former Yugoslavia". 19/

74. In summary: Cooperation and interaction between the Security Council and the Commission on Human Rights is a basic element for an integrated approach by the Organization to the objectives of peace, democracy, and respect for human rights.

75. The need for cooperation between the Commission on Human Rights and the Security Council is also demonstrated in the involvement of the Centre for Human Rights in peace operational activities which have a human rights content, such as the above-mentioned fact-finding missions to Georgia and Latvia (para. 70), whereby the Secretary-General may decide to submit his reports on such missions to the Security Council.

Recommendation 4:

Increase the flow of information between the Commission on Human Rights and the General Assembly

76. The Commission on Human Rights was established in 1946, as the principal organ in the United Nations system dealing with human rights matters. 20/

77. The Commission, since its establishment, has gone through three phases: (a) the initial phase, until roughly the mid-sixties, when the Commission focused on the drafting of the International Bill of Human Rights; (b) phase two (in the seventies) when the Commission added to its standard-setting activities its competence to implement the international instruments drawn in phase one, and to examine specific cases and situations, and (c) the third, and most recent phase, when the Commission placed new emphasis on the implementation of the human rights instruments and on the need for a stronger promotional role, through education and information. This phase was brought about in the mid-eighties, largely as a result of the experiences accumulated in the early years of phase two, in the treaty-based bodies, the Commission's ad hoc inquiries, and the complaints procedure.

78. The role of the Commission has followed the evolution of world events. In the nineties, the role of the United Nations organs is becoming more and more operational in the field of human rights, as it has already been witnessed recently in the Security Council, the General Assembly, and the Commission on Human Rights.

79. As mentioned in the Medium-Term Plan for 1992-1997 "In the coming decade, the international community can be expected to turn increasingly to United Nations human rights organs, such as the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, for peaceful and constructive solutions to human rights problems that might otherwise give rise to tensions. Those organs should become more and more the focal point of international efforts to act to prevent violations of human rights and their consequences, to carry out research into emerging problems and to develop new international standards and means of implementation that merit the confidence of all". 21/

80. The Economic and Social Council by its resolution 1990/48 of 25 May 1990 authorized the Commission on Human Rights to meet exceptionally between its regular sessions, provided a majority of States members of the Commission so agree. The Commission convened, for the first time, at an exceptional session, in August 1992, on the former Yugoslavia and decided on a fact-finding mission by a special rapporteur.

81. Furthermore, the Commission on Human Rights adopted resolution 1992/55 of 3 March 1992 on a proposed emergency mechanism of the Commission on Human Rights to deal with emergency situations. This procedure seems cumbersome and it risks not to be carried out on time.

82. In summary: Under present international conditions human rights are inextricably linked with peace and security. Indeed, political stability depends much on respect for human rights, and violations of human rights may give rise to regional conflicts threatening international peace and security. In this respect, the role of the Commission, as the principal organ of the United Nations dealing with human rights matters, is becoming increasingly operational. Taking into account the evolution of the Commission on Human Rights since its establishment, the rising profile of human rights, and the needs of the international community as they take shape for the coming years, the role of the Commission should be strengthened, i.e. the flow of information between the Commission on Human Rights and the General Assembly should be increased.

II. THE HUMAN RIGHTS PROGRAMME AND THE CENTRE FOR HUMAN RIGHTS

83. In this Chapter, the functions and activities of the Centre for Human Rights, as the main organizational unit of the Secretariat responsible for the implementation of the human rights programme, are reviewed and assessed in sections (A) and (B). Section (C) contains recommendations for the strengthening of the position of human rights in the United Nations and of the Centre for Human Rights.

A. The functions and activities of the Centre for Human Rights

84. **Annex III** shows the present structure of the Centre for Human Rights (actual situation). **Annex IV (a, b and c)** contains the organizational structures of the three branches of the Centre for Human Rights and the mandated activities assigned to each branch. **Annex V** shows the increase in the workload of the Centre from 1980 to 1992 in its main areas of activities, i.e. human rights international instruments, communications, optional

protocol, special procedures, technical assistance, and studies, as well as in the overall documentation (pages) and in the meetings serviced by the Centre for Human Rights.

85. The human rights programme has three main components: implementation of international instruments and procedures, standard-setting activities, and assistance and promotion of standards through education and information (advisory services and technical assistance). The interdependence between those three components of the human rights programme is reflected in the overall work of the Centre for Human Rights and requires close cooperation and coordination among its sections and branches.

86. In the activities related to the implementation of international instruments and procedures, priority has now been placed on the universal ratification and the broader monitoring of the implementation of already established human rights standards, in order to translate them into better standards of living for all. The rapid evolution of the treaty-based bodies (both in quantity and complexity) has created the need for coordination among all human rights bodies, as well as for rationalization of the treaty regime, aiming at addressing problems such as extensive overlapping in the competence of different treaty bodies, 22/ excessively overdue reports, 23/ urgent need for establishing a human rights database for monitoring compliance by States parties, etc. Streamlining and strengthening of the treaty-based system, including adequate servicing of the treaty bodies and of the special procedures, is one of the objectives of the 1993 World Conference on Human Rights.

87. International instruments: The number of treaty monitoring bodies has doubled from 3 in 1985 to 6 in 1992, while the number of the States parties to the various international human rights instruments has risen from 365 in 1985 to 652 in 1992. In addition, new approaches have been adopted by the treaty bodies in the conduct of their activities (analytical studies of State reports, drafting of lists of issues, research and assistance for the elaboration of general comments are provided by the staff of the Centre for Human Rights).

88. The Communications procedures aim at ensuring the continuing implementation of various existing procedures for dealing with complaints, appeals, and petitions concerning alleged violations of human rights, based on international instruments and resolutions of policy-making organs. To that end, the treaty bodies concerned and the policy-making organs are furnished with all pertinent facts and analyses of individual cases as well as situations affecting a large number of persons, with a view to securing a remedy for established violations. An increased emphasis focuses on the preparation of draft decisions for the bodies concerned, recommending, on the basis of detailed legal analysis, the appropriate remedial action by public authorities, and thus developing and enhancing the emerging body of international human rights case law, for the protection of individuals, groups and populations. Over 250 reports are issued annually under existing procedures for dealing with communications. The communications received and processed under the 1503 Procedure increased from 25,000 in 1980 to 150,000 in 1990, while in 1992 they declined to 42,500. It is noted that the decline in 1992, due to certain world political events, does not reflect a downward

trend of the communications received under the 1503 Procedure. The processing of communications has grown in complexity entailing screening, gathering of information, and analysis of the material received by the Secretariat, before it is considered by the Working Groups on Communications and on Situations, the Sub-Commission, and the Commission on Human Rights. The caseload under the Optional Protocol to the International Covenant on Civil and Political Rights and other treaty-based procedures has vastly increased from 29 pending cases in 1980 to 138 pending cases in 1992. Over 500 cases have been registered under the procedure from 1980 until 1992. The number of States parties to the Optional Protocol to the Covenant on Civil and Political Rights increased from 23 in 1980 to 66 in 1992.

89. The special procedures mandates, which comprise extra-conventional procedures and mechanisms entrusted to groups or special rapporteurs/ representatives/experts on a thematic or country-oriented basis, as well as similar mandates entrusted to the Secretary-General, increased from 4 in 1980 to 30 in 1992. The work carried out under these mandates constitutes the over-whelming majority of document pages considered by the Commission on Human Rights (some 1,800 pages, or roughly one half of the total for the forty-ninth session, not to mention another 800 pages for the General Assembly). The specific work under the procedures entails direct contacts with alleged victims of violations, interested non-governmental organizations and relevant governments. In investigating reported violations, missions are carried out to various places; as the number of procedures has increased, so has the number of missions, from 5 countries in 1980 to some 25 countries in 1992. In addition, as more attention has been drawn to the procedures, so has the number of public appeals increased, that "urgent action appeals" under various special procedures have risen from one per week in 1985 to five per day in 1992. The enormous increase in "urgent actions" reflects the general increase in work under several thematic mandates which concentrate on individual cases. For example, the caseload of the Working Group on Enforced or Involuntary Disappearances has increased from some 8,000 cases concerning 26 countries in 1984 to over 35,000 cases concerning 58 countries in 1992. Moreover, aside from those cases processed, the Working Group on Disappearances has a backlog of some 15,000 more cases which have not been processed due to the absence of sufficient personnel and infrastructural resources. However, not only have the number of procedures and the workload within procedures dramatically increased over the past decade, but so have the tasks assigned to the staff servicing the mandates increased, both in volume and complexity. One newly emerging and particularly complex aspect of the special procedures, and the work thereunder, is the development of field operations such as in the territory of the former Yugoslavia. Finally it should be noted that six new mandates, falling under the special procedures (special rapporteurs, representatives of the Secretary-General), were adopted at the forty-ninth session of the Commission on Human Rights (1993).

90. The standard-setting activities, which dominated the Commission on Human Rights during its first decades of existence, have created a remarkable human rights body of law. While they continue, they are evolving to cover research and studies in new areas: (a) emerging and existing interrelated issues, such as those pertaining to economic and social rights, development, environment, extreme poverty, AIDS, etc., (b) the development of mechanisms to review the achievements of the human rights programme and for establishing directives for

future activities for strengthening and follow-up measures, (c) the increasing complexity and mutually reinforcing nature of the human rights issues, (d) the rights and responsibilities of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms, (e) the administration of justice and other issues having an impact on the enjoyment of human rights such as the right to development, human rights and environment, and especially contemporary forms of slavery, (f) activities relating to the search for tools and techniques for the purpose of elimination of racial discrimination and of discrimination and protection of vulnerable groups (women, children, minorities, disappearances, mentally-ill, indigenous peoples, migrant workers, slavery-like practices, etc.). Studies and research in the above areas may result, or have already resulted, in new standard-setting activities.

91. The recent trends in the human rights bodies indicate that there is a rising need for studies and research activities. The expanding number of working groups and the increasing complexity and mutually reinforcing nature of human rights issues, entail more studies and research activities aiming at bringing into sharper focus today's emerging human rights issues.

92. Studies and research are closely related to the activities concerning the elimination and the prevention of discrimination. The activities under the proposed Third Decade to Combat Racism and Racial Discrimination are expected to increase, and will include a wide array of studies, to be undertaken as well as seminars and workshops to be organized. Furthermore, a considerable amount of research and studies will have to be undertaken with respect to new forms of racism, racial discrimination, xenophobia, related intolerance and their violent manifestations. Some 25 studies and reports have to be elaborated in this area. The complexity of the nature of these studies involve extensive and intensive research, analysis and drafting.

93. In the area of the protection of human rights of indigenous peoples, some new studies and research are envisaged on measures to strengthen respect for cultural property of indigenous peoples and on treaties, agreements, and other constructive agreements between States and indigenous peoples. In addition, a number of complex issues requiring specialized expertise, such as the right to adequate housing, human rights and extreme poverty and human rights and the dimensions of population transfer will have to be explored and analysed.

94. The Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its last session (August 1992), in dealing with the proliferation of studies, adopted new guidelines concerning the regulation of the number of studies, their duration and follow-up. This exercise could eventually lead to adopting a strategy which would provide better coherence among the fields of studies and would avoid duplication and delay.

95. The studies carried out by the Centre for Human Rights, as requested by the General Assembly, the Commission on Human Rights and the Sub-Commission, increased from 18 in 1980 to 60 in 1992. In addition, there has been significant increase in such established fields as administration of justice (16 mandates in 1992 as compared with 4 in 1986); contemporary forms of slavery (6 mandates in 1992, 1 in 1986); rights of indigenous peoples

(8 mandates in 1992, 2 in 1986, while the Working Group on Indigenous Populations in 1992 had 650 participants, as compared with 35 in its first session in 1982).

96. Activities in the area of standard-setting include the substantive servicing of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, as well as their working groups, including the preparation of documentation and coordination of the meetings.

97. The Advisory Services and Technical Assistance Programme provides assistance in the field of human rights through concrete projects, each of which is aimed at the establishment or strengthening of democratic institutions and national and regional infrastructures for the protection of human rights under the rule of law. The Centre for Human Rights, in implementing this programme, provides assistance for the inclusion of human rights norms in national constitutions, in the legal and technical aspects of democratic elections, and in the development and revision of national legislation in conformity with international standards. Support is also provided for the establishment of national institutions for the promotion and protection of human rights, including national commissions, ombudsmen, and human rights training and documentation centres. In addition, the programme provides assistance for the establishment of an independent judiciary, and training to national officials involved in the administration of justice, such as judges, lawyers, police, prison, and military officials. Training materials directed to a variety of such professional audiences are currently being produced by the Centre, in order to broaden dissemination of the principles covered by the courses themselves.

98. Other activities focus on curriculum development and teacher training, in order that Governments may be assisted in their efforts to build a culture of human rights beginning with the youngest members of society. State officials, including those responsible for the drafting of periodic reports to the various United Nations treaty bodies, also receive training from the Centre. Finally, direct support and training is provided to national non-governmental organizations to strengthen civil society.

99. Creating public knowledge of human rights is another important aim of this programme, which further recognizes the key role of NGOs and civil society in human rights protection. Briefings are organized for non-governmental organizations and information and publications are made available on a wide basis. The translation of human rights documents into local languages and the preparation of a range of information material are other important elements of the programme.

100. The Programme also provides support for regional and subregional human rights activities. For example, assistance is provided to the African Commission on Human and Peoples Rights, to the independent African Centre for Democracy and Human Rights in Banjul and the Arab Institute of Human Rights in Tunis.

101. The Advisory Services Programme is carried out by the provision of international experts, the organization of seminars, training courses and

workshops, the awarding of fellowships and the distribution of grants for the translation and publication of human rights documents. Assistance can also be provided to libraries for human rights books and documentation, and support can be given for the establishment and functioning of national or regional human rights institutes or centres.

102. Recently the growing number of requests for assistance and limitations on available funds and staff to administer the programme have brought about a shift in the working methods for its implementation. Under the new approach, the Centre for Human Rights will respond to a government's request by conducting a careful assessment of that country's particular human rights assistance needs. Assistance programmes are then to be designed to address those needs in a comprehensive and coordinated way. Specific programme elements are to be financed and administered by the most competent international agencies or organizations, or on a bilateral basis. The Centre will directly implement those projects for which it has a unique or specific competence, drawing on the considerable expertise developed by its staff in those areas, and serve as a focal point and coordinator for other programme elements relating to the human rights needs of the country involved.

103. The Programme of Advisory Services and Technical Assistance in the Field of Human Rights is funded from the regular budget of the United Nations. In addition, growing support for projects is received from the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, which began operating in 1988.

104. The projects carried out by the Centre for Human Rights under the Advisory Services and Technical Assistance Programme have increased from 2 in 1985 to 38 in 1992. It should be noted that in 1991, as well as in 1992, there were over 40 requests for assistance by Governments, which were not fulfilled due to lack of resources. It is expected that such requests will increase further in the near future.

105. In summary: as outlined above, indicatively only, the workload of the Centre for Human Rights has dramatically increased since 1980 in all its areas of activities (in numbers and complexity). Yet, the staffing resources have not followed pace with the increase. Indeed they have remained almost the same since 1980 in Professional posts, while they declined 10 per cent in General Service posts (see para. 146). In Chapter III the study deals with the need for additional human and financial resources for the Centre for Human Rights in order to carry out its ever increasing functions.

B. Coordination within the Centre for Human Rights, including management practices and personnel policies

106. The three pillars of the human rights programme (implementation, standard-setting, and advisory services and technical assistance, including education and information) are linked together by interrelated activities. They are necessarily interdependent and complementary to each other. For example, advisory services and technical assistance projects draw on research, standards, and implementation staff; for the preparation of most reports and studies information and support is needed from all branches; in activities related to issues such as children and torture many sections are involved.

Substantive coordination, therefore, among the three branches of the Centre, aimed at focalizing on a homogeneous approach would enhance the Centre's effectiveness.

107. The rapid increase in the workload of the Centre for Human Rights in the last decade, without a corresponding increase in its staffing resources, has negatively influenced the servicing by the Secretariat and has impaired the quality and precision of the Centre's work. In this context, effective management practices and personnel policies are of utmost importance for effectiveness and efficiency.

108. The Centre for Human Rights has put in place over the last years a number of restructuring measures, in an effort to enhance performance and efficiency with the limited resources available to it. These measures have not yielded in the past the desired results due partly to lack of resources and partly to lack of strong policy leadership, including weak management practices, and, in general, lack of substantive coordination among sections and branches. The situation that developed over the years had adverse consequences for the effectiveness and efficiency in the servicing provided by the Centre and had often in the past resulted, for example, in delaying the implementation of certain work programmes with specific deadlines.

109. The MAS report of 1991 24/ referred to the problem of shortage of expert manpower in the Centre, resulting from exodus of experienced staff. It can be said that the exodus of staff was due in the past, on the one hand, to lack of career development opportunities - such as well-planned and executed promotion exercise, reclassification of posts, etc. - and, on the other hand, to overloading staff with assignments (due to the increased workload without the corresponding increase in staffing resources), which does not allow for efficient and effective performance of the staff.

110. However, it should be emphasized that most of the problems existing within the Centre stem from a situation which has gradually become more onerous, on a year-by-year basis, during the last decade or so. The fact is that since 1980 the workload of the Centre has continuously increased without resources keeping pace with the increase; the Centre's requests for additional staffing and other resources to carry out its increased workload found no positive response from the budgetary authorities for many years. On the contrary, reductions have been made to the budgetary requests submitted by the Centre (see paras. 192-204). Consequently, the Centre, in its efforts to achieve maximum effectiveness with the limited resources available, had to resort to temporary measures, such as short-term and junior staff appointments, resulting in frequent turnover, lack of adequate experience, etc. Given the sensitive nature of the work and the attention and time needed in carrying out effectively and efficiently the human rights work programmes, these temporary measures could not provide any solutions to the problems, which built up over the years. Thus, it may be said that **years of inattention to the inadequacy of the resources of the Centre have led to the situation described above.**

111. It is only during the last two years that, with the support of a solid majority of Member States, the urgent need for additional human and financial resources has been addressed and the first additional posts were recently

provided to the Centre (see paras. 149-150). The Member States should continue their vigilance in this respect and ensure the desired results are achieved and cemented, namely, that the Centre is adequately staffed and financed in order to carry out its increased responsibilities, effectively and efficiently, and preserve its credibility vis-à-vis the Member States and the public.

112. The strengthening of the Centre for Human Rights requires, therefore, the long overdue increase in financial and staffing resources corresponding to the increased workload, as well as improvement of the coordination within the Centre, through effective management practices and personnel policies.

113. Improved policies and planning concerning work-programmes on the one hand, and on the other, transparency, coordination and homogeneity within the Centre, are needed for consistency, cohesion, and effective and timely implementation of all the mandated activities assigned to it, as well as for more efficient use of staff time and resources. Furthermore, increased versatility within the Centre when problems arise, would enhance cooperation and coordination among branches and sections while unnecessary spending would be avoided. For example, when one unit is carrying out a mandated activity for which certain expertise is needed, it should first seek to obtain it from the existing competent expertise available within the Centre - although, given the shortage of staff, this may be difficult - and only if that is not possible, resort to outside sources.

114. Among measures aiming at improving the overall effectiveness within the Centre, consideration should be given to the need for **management training** for upper level Professionals. Furthermore, **constant training**, for the purpose of upgrading and adapting to modern sciences and methods the substantive skills of the Professional staff of the Centre, would be useful, as the dimensions of the human rights programme continuously evolve to meet new challenges; this would enhance the effectiveness of the Centre in all its areas of activities, i.e. implementation of human rights standards, studies and research, and, in particular, promotional activities (advisory services and technical assistance).

115. The MAS report of 1991, 25/ inter alia, recommended that the Administrative Unit within the Centre be abolished as a separate entity and that the Centre should rely on the Administration of UNOG (for both personnel and financial matters). The author of this study believes that, if at the time of the writing of the MAS report there was justification for such a recommendation, the situation has changed since then. The increased workload and complexity in both personnel and financial matters, as well as the specialized nature of the Centre's work and its diverse and often urgent needs, make the Administrative Unit within the Centre indispensable. The Unit has recently strengthened its cooperation with the Administration of UNOG, which is reviewing, monitoring, and approving all administrative and financial aspects of the Centre's requests. It is noted that one P-4 level post was eliminated from the Administrative Unit. It is necessary that this post be reinstated and additional posts be provided to the Unit. **A strengthened Administrative Unit within the Centre for Human Rights, working in close and necessary cooperation with the Administration of UNOG (Personnel Service, and Financial Resources and Management Service), is of utmost importance for the**

processing of all administrative matters, on time and with precision, in full conformity with the personnel and budgetary rules and regulations of the Organization.

116. Last but not least, it should be stressed that the working conditions for the staff of the Centre need urgently to be improved. **Lack of adequate office space** is one of the obstacles for effectiveness. The present situation is very serious. There are offices shared by two or three staff members; there are staff members/consultants transferred from one place to the other, being temporarily accommodated in offices belonging to other departments, including small office spaces without windows; there is no office space for special rapporteurs/experts, who come to the Centre for their duties, having to use offices that belong to staff members who are either on mission or on leave, and they have to be transferred elsewhere when these staff members return. It is obvious that this chaotic situation is not only counter-productive but also detrimental to health.

117. In addition, **lack of adequate modern office equipment**, such as computerized work stations, printers, and fax machines, considered basic necessities for any contemporary office work, create another counter-productive situation, where many staff members are using the same equipment. It should be mentioned that in comparison to other human rights organizations, whether regional, national or international, the level of computerization in the Centre for Human Rights, despite a little progress since 1990, is still almost antediluvian. As mentioned in the report of the fourth meeting of the persons chairing the human rights treaty bodies, "existing working conditions of the Secretariat, especially in terms of the facilities and information technology available in Geneva, can best be described as primitive". 26/

Measures taken recently

118. The recently appointed Director of the Centre for Human Rights, Assistant Secretary-General Ibrahima Fall, in providing strong leadership, has put in place **new methods of management planning and practices, as well as personnel policies, aiming at enhancing effectiveness and efficiency within the Centre.** In particular, he has taken measures as listed below.

119. **Coordination and cooperation among Branches and Sections:** weekly meetings are held with the Chiefs of Branches and every two weeks with the participation of the Chiefs of Sections; in addition, meetings from time to time are held with the entire staff of the Centre, both on substantive and administrative matters. This exercise, as well as other related measures, aim at encouraging team work, at increasing the flow of information among Sections and Branches, at the widest possible participation of the entire staff in all the activities of the Centre, at adopting a homogeneous approach in carrying out work-programmes, at enhancing versatility when problems within the Centre arise, etc.

120. **Transparency:** A booklet is being prepared by the Centre containing a brief introduction on its structure and activities, as well as the organizational structures of the three Branches with the names of the staff members and their assignments, for distribution to Member States and NGOs.

Various additional measures have also been taken aiming at enhancing transparency in all the areas of the activities of the Centre, which will greatly facilitate the cooperation between the Centre, Member States, NGOs and the general public.

121. **Administrative matters:** Cooperation between the Centre and the Administration of UNOG has been strengthened, both on personnel and financial matters, for the processing of all administrative matters on time and with precision, in full conformity with the personnel and budgetary rules of the Organization. The Director of the Centre is planning the development of a system which will allow the Direction to be able to monitor expenses and accounts (both on the regular budget and extrabudgetary resources) on a weekly basis. Advanced cost planning of work-programmes, as well as establishment of priorities among these programmes to meet deadlines are already in place (see para. 115 for the need for strengthening the Administrative Unit within the Centre).

122. **Follow-up and Evaluation:** The Director of the Centre is planning the establishment of a Follow-up and Evaluation Unit, under his direction, for the necessary follow-up of the activities and for reviewing the implementation of the programme of work, on a day-to-day basis.

123. In the area of **personnel policies**, he has planned and is in the course of executing, a job classification exercise, for promotion, stability and recruitment, on the basis of the highest standards of efficiency, competence, and integrity, with due regard to the principles of equality between women and men and of equitable geographic distribution.

124. Furthermore, he has already taken steps for the provision of adequate **office space** and for adequate **modern office equipment, such as computerized work stations and printers** (see paras. 116-117 for the present situation on these matters).

125. In summary: The Centre for Human Rights is in the process of reorganization, through a full range of improved management practices and personnel policies, already initiated or planned by the new Director, aiming at achieving maximum effectiveness with the limited resources available. In this regard, this study will **not** put forward recommendations relating to the improvement of the effective functioning of the Centre, since the above-mentioned measures, which are considered constructive to that effect, should be allowed to develop for results to be obtained. These measures should be progressively strengthened and consolidated while additional ones could be taken, as the reorganization of the Centre takes shape under the new Direction. In this context, consideration should be given to **expanding the present structure of the Centre** to fit its needs as they evolve from the ongoing process of the reorganization.

126. It should be emphasized, however, that **while strong leadership will greatly improve the administration and management of the Centre, without additional resources commensurate to the increased mandates, measures for the improvement of the functioning and efficiency of the Centre cannot be effective.**

C. Recommendations

127. Taking into account the expansion of the human rights programme and the related activities as they evolve for the coming decade, the World Conference could consider the following recommendations for the strengthening of the position of human rights in the United Nations and of the Centre for Human Rights.

Recommendation 5:

Raising the level of the Centre for Human Rights to the level of a Department

128. As the importance attached by the United Nations Charter to the promotion and protection of human rights increasingly spreads among the international community, especially with the recent global events, the scope and activities concerning human rights is expanding rapidly.

129. The Centre for Human Rights has followed the evolution of the work of the Commission on Human Rights, i.e. until the mid-sixties the Commission was mostly engaged in standard-setting activities and in the seventies in setting up implementation machinery. As a recognition of the expansion of these responsibilities the Division of Human Rights was redesignated in 1982 as the Centre for Human Rights. 27/

130. The most recent phase of the Commission on Human Rights, which started in the mid-eighties and is now intensified, places the emphasis on implementation and promotional activities. At this new phase of the Commission and with the augmenting magnitude of the human rights programme worldwide, the role of the Centre for Human Rights is becoming increasingly operational, including good offices and contacts with governments aimed at prevention, promotion, and protection in the field of human rights.

131. The evolving role of the Commission on Human Rights in the nineties, and the need for strengthening coordination and cooperation in the field of human rights within and outside the United Nations, call for an enhanced role of the Centre for Human Rights in terms of higher profile and of higher responsibilities. In this context, it would be appropriate that the level of the Centre for Human Rights be redesignated as a Department for Human Rights.

Recommendation 6:

Establishment of Human Rights Regional and Local Offices

132. The importance of regional cooperation was stressed in the annual report of the Secretary-General for 1992. "At a time when regional cooperation holds, in many different ways, the key not only to conflict resolution but also to economic and social progress, these regional entities (regional Commissions) represent more than ever an important asset for the Organization". 28/

133. The General Assembly, in its resolution 46/124 of 17 December 1991, requested the Centre for Human Rights to continue its efforts, in order to

enhance cooperation between the United Nations and regional and national institutions, particularly in the field of advisory services and technical assistance, public information and education, and to establish, upon the request of States concerned, United Nations centres for human rights documentation and training.

134. The establishment or strengthening of national infrastructures for the promotion and protection of human rights, through educational programmes, dissemination of human rights information and training, is of particular importance in creating the necessary conditions for respect of human rights and for economic and social development, as well as for the achievement of universality of human rights.

135. Taking into consideration the directives of the relevant United Nations organs that regional arrangements for the promotion and protection of human rights should contribute to the effective enjoyment of human rights and fundamental freedoms, the Centre for Human Rights has undertaken, under its technical cooperation programme, projects including constitutional and legal reform, democratic development, dissemination of information, training activities, and strengthening of the machinery for the administration of justice.

136. Field presence through the establishment of regional and local offices for the promotion and protection of human rights is necessary for effectiveness and efficiency. **Local offices**, in particular, could be used in cases where there have been requests for **human rights monitors** to be located in a territory, such as the request of the Special Rapporteur on the former Yugoslavia; 29/ they could also assist in field missions, such as those organized for the independent Experts on Guatemala, Equatorial Guinea and Haiti, in programmes in the field of human rights developed by the Centre (for example, in Cambodia); 30/ as well as in peace-keeping operations including the one in El Salvador carried out by the United Nations Observer Mission in El Salvador (ONUSAL) (E/CN.4/1993/96).

137. Furthermore, regional and local offices would strengthen the cooperation between the United Nations and regional and national organizations as well as NGOs active in the field of human rights would serve as depository centres for United Nations human rights materials; would organize seminars, workshops on reporting obligations and training courses for the promotion and protection of human rights; would disseminate information at the national level relating to the States parties reports along with the summary records of the consideration of those reports by the relevant treaty bodies; would assist international conventions on human rights and would encourage more countries in all regions of the world to develop forms of cooperation and assistance with the Centre for Human Rights in keeping with their specific needs.

Recommendation 7:

Establishment of a Research and Training Institute for Human Rights affiliated with the Centre for Human Rights

138. The increasing complexity and mutually reinforcing nature of human rights issues entail more research activities in this field. Research and

studies are now evolving to cover new emerging human rights issues, such as AIDS, environment, extreme poverty, human rights and development; the causes and conditions leading to racism and intolerance, as well as new and emerging forms of discrimination; the development of mechanisms to review the achievements of the human rights programme and to establish directives for future activities for strengthening and follow-up measures and formulation of support programmes aimed at prevention, such as institution-building, education and training.

139. Research activities are closely linked with education, training, and information in the field of human rights. This interrelationship is an essential element for establishing or strengthening national infrastructures for the protection and promotion of human rights in the context of technical cooperation activities.

140. Given the importance of education, training and research in promoting and protecting human rights and in establishing or strengthening national infrastructures, a United Nations Human Rights Research Institute, affiliated with, or linked to, the Centre for Human Rights should be established.

141. A United Nations Human Rights Research and Training Institute could maintain an overview of human rights research which has been or is being carried out within the United Nations system; coordinate ongoing research and standard-setting work; implement the Human Rights Fellowship Programme; prepare seminars and training courses in all regions on human rights questions; draft and publish human rights teaching materials for use in schools and universities, as well as training manuals for use in courses and workshops provided by the United Nations system; maintain links with academic and research institutions at the national and regional levels and to encourage cooperation between them and the intergovernmental and non-governmental organizations; provide information for projects dealing with the specific needs of countries which are prepared by the Centre for Human Rights in the context of technical cooperation activities.

Recommendation 8:

Establishment of a human rights library and information and documentation centre with the Centre for Human Rights

142. In relation to information sources available within the Centre for Human Rights it is apparent that there is an urgent need for the establishment of a human rights library and information and documentation centre. Lack of an information database on all human rights issues and activities has repeatedly created problems in the work of the treaty bodies, special rapporteurs, experts, NGOs and the general public. The General Assembly should request the Secretary-General to take the appropriate steps for the establishment of a human rights library and information database with the Centre for Human Rights. The persons chairing the treaty bodies emphasized the need "for the creation of a centralized information and documentation unit within the Centre for Human Rights". 31/

III. FINANCIAL AND OTHER RESOURCES FOR THE HUMAN RIGHTS PROGRAMME AND THE CENTRE FOR HUMAN RIGHTS

143. This Chapter deals with the financial and other resources needed for the Centre for Human Rights in order to be able to carry out the increased functions and responsibilities assigned to it. Due to the specificity of the financial matters, and for the sake of clarity, the review and assessment for each issue is incorporated in the relevant recommendation. Section (A) contains recommendations for the strengthening of the Human Rights Programme and of the Centre for Human Rights. Section (B) contains a brief review and assessment of certain financial procedures relating to human rights and recommendations for the improvement to fit better the needs of the human rights programme.

A. Strengthening of the Human Rights Programme and of the Centre for Human Rights

Recommendation 9:

Increase the human and financial resources of the Centre for Human Rights, in particular, increase the funds for the human rights programme from the regular budget of the United Nations well beyond present levels

144. The effects of the recent global developments have been reflected in the rapid increase in the human rights activities. New mandates from intergovernmental and expert bodies have put a strain on both the human and financial resources of the Centre for Human Rights. The United Nations regular budget for the human rights programme has remained stagnant for many years at the level of about 1 per cent of the overall budget of the Organization.

145. The increased workload of the Centre for Human Rights has been discussed in Chapter II (paras. 84-105). The disparity between mandates to be implemented by the Centre and resources available to carry them out is steadily growing.

146. **Annex V** shows that the workload of the Centre for Human Rights from 1980 to 1992 has increased by 100 to over 1,000 per cent, depending on the activities, while the staffing resources of the Centre have been reduced from a total of 81 established posts in 1982-1983 to a total of 79 in 1992. 32/ The picture shown in Annex V is only indicative of the growing disparity, in numbers, between mandates and staffing resources available to carry them out. The activities of the Centre have increased not only in numbers, but also in factual and legal complexity. It should be emphasized that the increase in the number of mandates does not reflect the increase in workloads within the mandates. Furthermore, it is noted that the chart in Annex V does not reflect the fact that the work under mandates is obligatory, while, for example, technical cooperation projects are optional and derive special financing from a voluntary fund. **Annex VI** shows the breakdown of the staffing pattern in established posts since 1980. As a result of the increase in activities without a corresponding increase in staffing resources, the Centre has accumulated a considerable **backlog** in every sector of its programme of activities.

147. The Secretary-General described in his reports to the Commission on Human Rights, the Economic and Social Council, and the General Assembly the critical situation facing the Centre for Human Rights, 33/ while these bodies passed several resolutions on the strengthening of the Centre for Human Rights. 34/ The most recent General Assembly resolution on this matter (47/127 of 18 December 1992), which was co-sponsored by over 90 Member States from all regional groups, inter alia, requests the Secretary-General "to ensure that sufficient resources are accorded to the Centre for Human Rights to enable it to carry out, in full and on time, all the mandates including the additional ones, on the basis of the decisions of intergovernmental and expert bodies".

148. Furthermore, the Secretary-General initiated a review of the structure, functions, and staffing of the Centre for Human Rights to evaluate the effectiveness of the existing organizational structure in relation to its evolving mandates and assess the adequacy of its staffing and other resources vis-à-vis its functions, which was carried out by the Management Advisory Service (MAS) of the Secretariat in 1990-1991. 35/ The review concluded, inter alia, that while there was a need for clear delineation of responsibilities among various organizational units dealing with the issues of human rights, the Centre was experiencing an acute shortage of expert manpower in coping with its growing mandates.

149. For the first time since 1980, and as a result of the above-mentioned resolutions passed by the General Assembly, the first additional posts were provided to the Centre in 1991-1992. A total of five Professional posts (including a D-2 level post) and one General Service post were established. In addition, eight temporary posts (four Professional and four General Service) were approved through the conversion of the Centre's general temporary assistance funds, **with a corresponding decrease in the latter**, and finally, two temporary General Service posts were provided. Furthermore, two Professional and two General Service posts were approved as from 1993 for the International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families. Since the Convention has not yet entered into force, these four posts are being used temporarily for the strengthening of the Centre. 36/

150. In the course of 1992, as a result of additional mandates given to the Centre by the Commission on Human Rights and the increased utilization of the existing mandates by the various rapporteurs or experts, 11 additional Professional posts were authorized by the Secretary-General, for an initial period of six months. In connection with the appointment of a special rapporteur on the former Yugoslavia, five additional Professional posts were redeployed to the Centre also for an initial period of six months. 37/ It is noted that **these 16 additional Professional posts were not accompanied by the necessary corresponding General Service posts.**

151. While the above-mentioned additional staffing resources have helped the Centre temporarily to continue carrying out the mandated activities, the disparity between mandates and resources available to carry them out is so rapidly growing that the situation remains **precarious**. As was mentioned in the report of the 4th meeting of the persons chairing the human rights treaty bodies, "the resources available to the Centre for Human Rights are grossly

inadequate, despite recent improvement, to enable it to fulfil the manifold and constantly growing number of tasks entrusted to it" and furthermore "requests for assistance by the various treaty bodies are sometimes unable to be met, despite the fact that such requests have been kept at an artificially low level in recognition of the impossibility of greater assistance being provided from existing resources". 38/

152. The available resources of the Centre have been so thinly stretched that the staff assignments cannot be carried out with the necessary degree of attention and accuracy. This has seriously impaired the quality of the services provided by the Centre and has, therefore, adverse consequences for the effectiveness and efficiency of the implementation of the human rights programme.

153. The high priority the Member States of the Organization increasingly attach to the effective functioning of the human rights programme and the views expressed by a large number of delegations, in the General Assembly and the Commission on Human Rights, about the importance of efficiency and the lack of adequate resources for the Centre for Human Rights, underscore the seriousness of the situation. Furthermore, many special rapporteurs, experts, working groups, etc, made recommendations relating to the need for additional resources for the Centre. 39/

154. In summary: Despite recent developments, it is now clear that the heavily increased workload, resulting from the growing mandates (both in numbers and complexity) assigned to the Centre for Human Rights, far exceeds its present capacity in human and financial resources. Since the disparity between mandates and resources available to carry them out continues to grow, it is obvious that the **Centre will no longer be in a position to implement all the mandated activities assigned to it.** This serious financial situation imperils the overall implementation of the human rights programme.

155. If resources corresponding to the increased mandates are not provided to the Centre and if appropriate measures are not taken in the near future, the international community may witness the erosion of the remarkable achievements of the Organization for the promotion and protection of human rights to date.

156. One of the objectives of this study is to make recommendations for the strengthening of the Centre for Human Rights, with emphasis on ensuring the necessary resources for the human rights activities of the Organization. However, it is rather difficult at this point to **specify** what human and financial resources would be necessary for the Centre to fully and effectively implement the human rights activities in 1993 and beyond, since the **actual situation continuously changes.** At the time of the writing of this study, for example, the forty-ninth session of the Commission on Human Rights had just adopted, inter alia, seven new mandates (special rapporteurs, representatives of the Secretary-General, working group). In addition, and more importantly, it will greatly depend on the final recommendations adopted by the World Conference, which is difficult to predict. Therefore, any attempt to specify at the present stage the resources needed for the Centre for Human Rights to fully implement the human rights programme as it develops after the World Conference, would give rise to arguments regarding accuracy and arbitrariness.

157. The specific human and financial resources needed for the biennium 1994-1995 will be dealt with in the context of the programmatic and budgetary proposals prepared by the Centre for Human Rights for that biennium, which will be processed in accordance with the Rules and Regulations of the Organization.

158. Nevertheless, **the present study, on the basis of the review and assessment outlined above, provides important elements which should be taken into account by the World Conference when making recommendations for ensuring the necessary resources for the human rights programme, as it takes shape after its final outcome.** These elements are based on the need for a **substantive** increase of the level of the budget for the human rights programme, which has remained for many years at about **1 per cent** of the overall regular budget of the United Nations. It is worthwhile noting, for the sake of comparison, that the budget for the human rights programme of the Council of Europe (the European Commission on Human Rights, European Court on Human Rights, and European Tribunal for Immunities of States) for 1993 is 13.5 per cent (100,913,000 French Francs) of the overall regular budget of the Council (743,867,000 French Francs). 40/

159. It is absolutely necessary that the United Nations regular budget for human rights activities be increased well beyond present levels. **What does this mean?** One way to look at it is in the light of a statement made by one delegation at the forty-ninth session of the Commission on Human Rights: "(the Centre for Human Rights) is understaffed and underfunded ... If the Centre is to get increased funding, we must find the money elsewhere in the United Nations system ... Why only about 1 per cent? Why not two, or three, or even five per cent? Surely this is not an unreasonable goal; I would argue that it is a modest one". 41/ Of course, there are several views on this issue, which will be expressed at the World Conference, and they should all be taken into account when a final decision is adopted in this regard.

160. In this context, the World Conference, when considering making concrete recommendations for securing the resources needed for the implementation of the human rights programme, should take into account the following basic factors:

(a) The Secretary-General in his report on the work of the Organization for 1992 stated, inter alia, that "the Charter of the United Nations places **the promotion of human rights as one of our priority objectives along with promoting development and preserving international peace and security**". 42/ Furthermore, the Secretary-General in his report entitled "An Agenda for Peace" made reference to the opportunity regained by the Organization to achieve the objectives of the Charter of the United Nations: **maintaining international peace and security, securing justice and human rights and promoting social progress and better standards of life in larger freedom.** 43/

(b) According to the programme budget outline for the biennium 1994-1995, which is based on priorities reflecting general trends of a broad sectoral nature, estimates of an increase over initial appropriation of **4.6** per cent

were recommended by the Secretary-General for the United Nations activities in the field of human rights and humanitarian affairs, 44/ and were approved by the General Assembly.

(c) The reduction by about 50 per cent of the supplementary resource requirements identified by the Centre for Human Rights for 1992 and 1993 under a revised estimates submission to the ACABQ in late 1992 is expected to result in a new financial crisis by the summer of 1993, whereby, if additional resources are not provided, **several activities planned for implementation in 1993 may not be carried out** (paras. 201-202).

(d) The inattention for many years to the inadequacy of resources for the Centre for Human Rights has created a considerable **backlog** in its workload in all areas of activities and a serious strain on its staffing resources. This situation, if not redressed, impairs the quality and precision of the Centre's work.

161. The World Conference should take into consideration the following recommendations when making its own recommendations relating to the increase of the United Nations regular budget for human rights activities:

(a) There is need for additional resources from the regular budget to support the Advisory Services component projects of assistance in the legal, technical, and human rights aspects of democratic processes, including electoral assistance, legislative reform, and training and education. This is particularly important in view of the rapid increase in the requests by Governments for establishing or strengthening national infrastructures for the protection of human rights under the rule of law; as mentioned earlier, many of these requests remain unfulfilled due to lack of resources. The demand for human rights assistance in this field has far exceeded the resources of the Centre in recent years. In order for the Centre to reduce the growing backlog of requests for assistance, and to meet the rapidly increasing new requests, while the level of funding under the Voluntary Fund for Technical Cooperation in the Field of Human Rights should be increased, it is important that further support should be made available for the expansion of these activities, in the form of staff and financial resources, under the regular budget.

(b) There is also need for additional resources from the regular budget for the activities under the Programme of Action for the Decade to Combat Racism and Racial Discrimination. It should be noted that it was decided by General Assembly resolution 42/47 that the activities under this programme be incorporated into the regular budget; this was **not** accompanied by any increase in regular resources, which resulted in several activities under the programme having to be postponed or cancelled. The activities under this Programme are expected to further increase in view of the proposed third Decade to Combat Racism and Racial Discrimination. The level of funds available in the Voluntary Fund for the Programme of the Decade for Action to Combat Racism and Racial Discrimination is far too low to cover even part of the activities mandated under this Programme.

162. **In conclusion**: Member States are aware that the present evolution of the human rights programme, as it derives from the rapid changes at the international scene, has taken the dimensions of a **revolution**. The

forty-ninth session of the Commission on Human Rights gives evidence to that. Inter alia, seven new mandates (special rapporteurs, representatives of the Secretary-General, working group) have been adopted at one session, not including other new mandates relating to reports of the Secretary-General, etc. This means that Member States have shown, once more, their strong commitment to strengthen the human rights programme and to assist the democratization process in many parts of the world. However, such a drastic expansion of the human rights programme needs a corresponding drastic increase in staffing and financial resources, to enable the Centre for Human Rights to carry out, in full and on time, all the mandates, including the additional ones, assigned to it, on the basis of the decisions of intergovernmental and expert bodies. Incremental, small increases in the human rights budget do not suffice. To that end, the Member States should support their decisions by maintaining a similar position in the competent bodies dealing with budgetary matters.

163. The experience, however, has shown that there is a disparity between the position of Member States in the human rights bodies (Commission on Human Rights, Third Committee, etc.) and in the Fifth Committee of the General Assembly. This disparity is reflected in the increased human rights mandates as compared with the resources available to carry them out. In this regard, consistency in the position of Member States is necessary in order to overcome the obstacles for securing a balance between mandates and resources needed for their implementation.

164. Of course, the overall financial constraints of the Organization should be also taken into account when considering the necessary increase in the human rights budget. Furthermore, it is understood that the Centre for Human Rights, already in the process of reorganization under the new direction of the Assistant-Secretary-General for Human Rights, is gradually improving its functioning and efficiency, a process which cannot be completed without the additional necessary staffing and financial resources.

165. The World Conference is expected to make concrete recommendations for the improvement of the effectiveness of the United Nations human rights programme. **If the necessary resources are not secured for the implementation of these recommendations, it is obvious that the achievements of the World Conference will remain unfulfilled.** In this context, Commission on Human Rights resolution 1993/52 of 9 March 1993 "requests the Secretary-General and the competent bodies of the United Nations to implement, as appropriate and as a matter of urgency, the relevant recommendations which the World Conference on Human Rights makes with regard to securing the necessary financial and other resources for the strengthening of the Centre for Human Rights."

Recommendation 10:

Strengthening of the New York Office of the Centre for Human Rights

166. The rising profile of human rights and the increase in the mandates entrusted to the Centre for Human Rights have a direct bearing on the work and responsibilities of the New York Office, which acts as the representative of the Centre in all areas of its activities. The workload of the New York Office since 1982 has doubled, tripled or more, depending on the activities,

while its staffing resources have been reduced in 1986, both in terms of posts and in terms of level (prior to 1986 there were two Professional posts at P-5 and P-4 levels, now there is only one at the P-4 level).

167. A few examples of the workload of the New York Office include the following: Since 1987 the number of communications screened by the Office has increased by 70 per cent from about 12,000 to 20,000 annually. The number of requests to which the staff of the Office has to respond daily has increased by 60 per cent from 50 to 80 daily. The meetings of States parties to human rights treaty bodies serviced by the Office rose from two to three, while special rapporteurs are serviced on a regular basis, which was not the case before 1987.

168. Recommendations for strengthening the New York Office were made in the 1989 In-Depth Evaluation Study on Human Rights Programme, 45/ as well as in the "Review of Liaison Offices at Headquarters - Report of the Management Advisory Services" of 3 November 1988. 46/

169. It is necessary that the New York Office be strengthened both in terms of additional posts and of level of representation in order to be able to carry out effectively and efficiently the activities as they derive from the increased mandates entrusted to the Centre for Human Rights. High-level representation is necessary so that the Centre is adequately represented at meetings of policy-making organs as well as at contacts with other units of the Secretariat, with New York based agencies, and other United Nations bodies. Furthermore, it is recommended that the Third Committee of the General Assembly and the Second (Social) Committee of ECOSOC should be serviced by the New York Office of the Centre for Human Rights, as was the case before 1982.

Recommendation 11:

At least 0.5 per cent of the total development cooperation budgets be devoted to human rights programmes

170. In view of the continuously increasing requests by Governments for technical cooperation assistance in the field of human rights and the inability of the Centre for Human Rights to respond to all of them, due to lack of resources, the former Under-Secretary-General for Human Rights had suggested to Member States during the preparatory work of the World Conference that at least 0.5 per cent of the total development cooperation budgets be devoted to human rights programmes.

171. Taking for example the year 1990, the Official Development Assistance (ODA) from DAC (Development Assistance Committee) Members of the Organisation for Economic Cooperation and Development (OECD) was US$ 54 billion 47/; **without reducing** the amount of US$ 54 billion made available for development projects, **an additional** amount, as a minimum of 0.5 per cent of the US$ 54 billion, i.e. US$ 270 million, would be devoted to human rights programmes.

172. It is noted that this additional amount would not be handled by the Centre for Human Rights alone. It should be earmarked for technical

cooperation for human rights and should be channelled through, and administered by, bilateral or multilateral agencies, United Nations agencies and programmes, non-governmental organizations, as well as the Centre for Human Rights, where appropriate.

173. The above suggestion aims at encouraging a qualitative and quantatative leap forward in technical cooperation for human rights. It is evident that development cooperation agencies, both within the United Nations system and the bilateral Agencies, give human rights a growing importance within their development cooperation programmes. In this connection and in view of the urgent need for increase in financial resources for the human rights activities, the above-mentioned recommendation deserves the attention of the World Conference and the support of Member States.

Recommendation 12:

Increase contributions by Governments to the Voluntary Funds of the human rights programmes. Establishment of a board of trustees for the Voluntary Fund for Technical Cooperation in the Field of Human Rights

174. An additional way to increase the financial and other resources for the human rights activities would be the increase in contributions by Governments to the Voluntary Funds for human rights activities: (a) The Voluntary Fund for the Programme of the Decade for Action to Combat Racism and Racial Discrimination; (b) The Voluntary Fund for Technical Cooperation in the Field of Human Rights; (c) The Voluntary Fund for Victims of Torture; (d) the Voluntary Fund for Indigenous Populations; (e) The Voluntary Fund on Contemporary Forms of Slavery; and (f) The Voluntary Fund for the International Year of the World's Indigenous People.

175. The World Conference should consider making an appeal to Member States for increased contributions to the above-mentioned Voluntary Funds for human rights activities.

176. Referring to the Voluntary Fund for Technical Cooperation in the Field of Human Rights, it should be noted that the Commission on Human Rights, by its resolution 1992/80, requested the Secretary-General to continue to examine ways and means to improve further the administration and operation of the Voluntary Fund. At present, this Fund is administered by the Centre for Human Rights.

177. In view of the increasing demand for technical assistance in many parts of the world, which is expected to increase even further in the near future, and in view of the fact that the Centre for Human Rights has accumulated a considerable backlog of requests for assistance due to lack of resources, States which are current donors to the Voluntary Fund should be encouraged to increase their donations to the maximum extent possible, while States which have not yet donated to the Fund should be encouraged to do so. At the same time, the improvement in the administration and operation of the Fund is considered necessary. Increased confidence of donors and potential donors might be well served by the establishment of an independent body to be charged with the administration of the Fund.

178. In this context, it is recommended that a board of trustees be established to administer the Fund in support of projects carried out by the Centre, in line with the practice used for other Voluntary Funds (Victims of Torture and Contemporary Forms of Slavery). Accordingly, a board of trustees composed of independent experts, appointed by the Secretary-General, with due regard to the principle of equitable geographic distribution, would meet once a year to discuss policy for selection and the modalities and evaluation of the projects to be financed from the Fund. A note on the role of boards of trustees in human rights assistance funds is contained in the report of the Secretary-General on Advisory Services in the Field of Human Rights. 48/

B. Financial Procedures

179. The resources of the Centre for Human Rights, already insufficient, as described earlier, have been further strained due to problems stemming from certain financial procedures as they relate to the human rights programme. These financial procedures concern (a) the so-called "ECOSOC mandates" (decisions adopted by the Commission on Human Rights and endorsed by the Economic and Social Council), and (b) the budgeting and evaluation processes relating to the human right programme.

Recommendation 13:

The financial process concerning "ECOSOC mandates" should be re-examined and readjusted to fit better the decisions of the Member States and the needs of the human rights programme, especially since the volume and complexity of these activities are expected to increase even further in the near future

180. The financial procedures with the United Nations system are often complex and there is a need for transparency and clarification, not only within the Secretariat but also vis-à-vis the Member States.

181. There are human rights procedures and mechanisms, which are instituted and carried out as a result of the Economic and Social Council mandates, i.e. emanating from decisions of the Commission on Human Rights and endorsed by the Economic and Social Council.

182. Since the mid-1970s, the resources for these activities were sought annually from the General Assembly through the submission of programme budget implications statements (PBI), principally under the terms of the resolution on "unforeseen and extraordinary" expenses for the biennium concerned, i.e. expenditures additional to the proposed programme budget.

183. The General Assembly, in its resolution 41/213 of 1986, inter alia, approved a new budget process, starting with the biennium 1986-1987, whereby "The programme budget shall include expenditures related to political activities of a perennial character whose mandates are renewed annually together with their related conference costs," i.e. because the submission of PBIs was considered cumbersome, it was decided that instead of seeking the approval of the General Assembly for additional expenditures for the decisions adopted by the Commission on Human Rights and endorsed by the Economic and Social Council each year, a lump sum was included in the programme budget to

cover current and new mandates, under the category of perennial activities; the level of this lump sum was estimated on the basis of the activities of the preceding biennium, and it was included in the budget for the first time in 1986 for the biennium 1986-1987.

184. In 1989, General Assembly resolution 44/201 B was adopted, according to chapter XI of which "Additional requirements for those new mandates emanating from decisions of the ECOSOC which are outside the scope of the perennial activities included in section 23 (human rights) are to be treated in accordance with the provisions for the use and operation of the contingency fund" which was created by General Assembly resolution 21/213 and implemented by resolution 42/211.

185. To comply with General Assembly resolution 44/201 B XI, the Office of Programme Planning, Budgeting and Finance (OPPBF) on the basis of past mandates, made a determination on what constitutes the scope of perennial activities and what constitutes "new mandates", which is the following: "Perennial activities are (a) those of a fact-finding nature relating to a particular country or area dealing with allegations of violations of human rights or investigatory procedures, e.g. special rapporteurs, and (b) those existing mandates which will be renewed at the end of their term (e.g. the Ad Hoc Working Group on southern Africa). 'New mandates' would refer to those activities that do not fall under the above-mentioned categories and would include such activities as an increase in membership of a Committee, the extended duration of a meeting, or the preparation of a new study". 49/

186. This implies that all mandates concerning special rapporteurs, fact-finding missions, working groups and reports of the Sub-Commission, whether they are new mandates or renewed ones, fall under the category of perennial activities and should be financed from the lump sum estimated on the basis of the preceding biennium, i.e. no extra provision is made for the additional (new) mandates, which, even though they are new mandates, they are not considered as such.

187. **The problem lies in the broad interpretation given by the OPPBF to what constitutes "perennial" activities, and in the fact that the lump sum that was made available in the budget to cover these activities has not been allowed to increase in direct proportion to the increased mandates.**

188. To illustrate: In 1988 the Centre had 13 mandates and the 1988-1989 appropriations provided for these activities were $1,413,200; in 1992 there were 28 mandates, including three working groups, 15 rapporteurs and 10 mandates entrusted to the Secretary-General, and the appropriations provided for 1992-1993 were $1,218,000. 50/

189. This new budget process does not take into account the rapid increase in new mandates; it has caused, therefore, serious difficulties and a considerable **backlog** within the Centre for Human Rights, in addition to the backlog from the heavily increased workload, and is creating obstacles to the effective implementation of the human rights programme.

190. It is therefore necessary that this process be re-examined and modified on the basis of the experience gained, which shows that: renewals of mandates

should fall within the scope of the perennial activities and, therefore, be covered by the lump sum provided for in the regular budget, while all additional mandates should fall outside the scope of perennial activities and should be considered as "new mandates" and, therefore be covered by the contingency fund.

191. In this context, it should be emphasized that it is important that Member States are fully informed about the financial implications of all their decisions before they are taken, so they can direct the Secretariat accordingly.

Recommendation 14:

It is necessary that the Centre for Human Rights, as the primary unit within the Secretariat responsible for the implementation of the human rights programme, be more involved in the processes of planning, programming, budgeting and evaluation. This is very important in view of the specificity of the human rights issues

192. The legislative mandates in the field of human rights are translated into programmes of activities through a complex management process, which consists of a cycle of planning, programming, budgeting, monitoring, and evaluation.

193. In accordance with the Regulations and Rules, as contained in the Secretary-General's Bulletin, 51/ the Centre for Human Rights prepares the medium-term plan (for six years) and submits it for consecutive review by the Office of Programme Planning, Budgeting and Finance (OPPBF), the Committee for Programme and Coordination (CPC), and the General Assembly. On the basis of the approved medium-term plan, the Centre for Human Rights submits its biennial proposed programme budgets. The programme budget cycle is as follows: the OPPBF, the Planning, Programming and Budgeting Board (PPBB), the CPC for programmatic aspects, and the Advisory Committee on Administrative and Budgetary Questions (ACABQ) for the financial implications, the Fifth Committee and the General Assembly.

194. At any point of the cycle reductions to the budget can be made. It has been the experience that the OPPBF, when reviewing the budget requests submitted by the Centre for Human Rights, usually makes drastic reductions. The PPBB, 52/ makes further reductions before the Secretary-General's proposals are submitted to the ACABQ and the General Assembly. It is noted that the head of the Centre for Human Rights does **not** participate in the PPBB; his participation in the PPBB is considered necessary mainly because of the specificity of the human rights issues and their requirements. Recommendations for further reductions are usually made by the ACABQ, 53/ and possibly by the Fifth Committee of the General Assembly. In this process it is clear that the budgetary requests of the Centre, from the point of submission until the final stage of provision of the allotments, can be considerably reduced.

195. For example, the 1992-1993 evolution of the budget for the Human Rights Programme was as follows:

Centre for Human Rights submission	US$ 27,473,900
Secretary-General's proposals	24,217,000
ACABQ recommendation	23,489,000
G.A. appropriation	23,297,000*

* Growth in real terms from previous biennium 9.6 per cent

196. It is noted that a **major reduction** was imposed between the submission by the Centre for Human Rights and the Secretary-General's proposals to ACABQ and the Fifth Committee, as prepared by OPPBF and reviewed by PPBB, amounting to about US$ 4,250,000 for the biennium 1992-1993. This reduction further strained the already limited resources of the Centre.

197. Taking into account the overall financial constraints of the Organization, the above-mentioned growth of 9.6 per cent from the previous biennium, could perhaps be considered a large one, compared to increases made in other programmes. It seems, however, that the problem lies with the **conventional concept** that prevails within the Organization that only incremental increases can be made. What should be understood is that in the case of human rights there are radical changes, which stem from the rapid evolution of world political events, and which require drastic increases in the human rights budget; there is a human rights **revolution**, which should be perceived as such when the financial aspects of the human rights programme are considered. In this context, it should be also emphasized that Member States should direct the Secretariat accordingly.

198. Furthermore, it should be noted that the reduction in the 1992-1993 budgetary proposals of the Centre amounting to about US$ 4,250,000, was among the main causes of the serious financial crisis of the Centre, which took place in the summer of 1992, other causes including weak management practices before the summer of 1992; it also resulted in the urgent need for supplementary resources (revised estimates) for 1992-1993 requested within the framework of the First Performance Report. The revised estimates, as explained below, were drastically reduced, leading probably the Centre to another financial crisis by the summer of 1993, in spite of the efforts being made to avoid such a crisis through improved management practices. All these point to the conclusion that the above-mentioned 9.6 per cent growth in real terms from the previous biennium, was not only minimal, but far below what was in fact needed.

199. It seems that the reductions to the human rights budget made at the initial stage by OPPBF and PPBB, most of the time, are due to the fact that the justifications prepared by the Centre are not accepted. This happens partly because of the difficulty to understand the specificity of the human rights issues and partly because of insufficient explanations provided in the past by the Centre in its budgetary requirements.

200. The Centre has recently strengthened its cooperation with the Financial Resources and Management Service of the United Nations Office at Geneva, aiming at overcoming existing problems. Nevertheless, the recent example of the consideration of the revised estimates for 1992-1993 illustrates **that the difficulties persist** resulting once more, in serious inadequacy of funds and staffing resources.

201. The OPPBF, in formulating the Secretary-General's proposals for the revised estimates for 1992-1993 (for ACABQ and the Fifth Committee), **reduced the funds requested by the Centre by about 50 per cent**, in spite of the carefully formulated justifications prepared in close cooperation with the Budget Section of the United Nations Office at Geneva. The ACABQ did not support the Secretary-General's recommendations with the exception of those provisions relating to the Special Rapporteur on the former Yugoslavia. It recommended instead that the Centre continue its operation within existing appropriations and report any overspending within the framework of the Second Performance Report. In an unusual disapproval of an ACABQ recommendation, the Fifth Committee recommended to the General Assembly that the revised estimates of the Centre be accepted as a fair estimate of its needs for additional resources and that the Secretary-General identify the source of these additional funds. 54/

202. The final outcome was that the additional resource requirements identified for 1992 in late 1992 were about 50 per cent greater than the amount actually approved by the General Assembly. **As a result of this, several activities planned for implementation in 1993 or postponed already to 1993 from 1992, may not be carried out.** In that case, the Member States should be informed accordingly.

203. In addition to the above problems concerning the budgetary and financial aspects of the programme, there are also difficulties with the evaluation procedure of the human rights programme. The CPC, 55/ following the evaluation procedure it has developed at its twenty-fourth session, considers periodic evaluations conducted by the Evaluation Unit of the Secretariat at New York on the human rights programmes and makes recommendations to the Economic and Social Council. It is noted that this evaluation is conducted, inter alia, through a questionnaire prepared for the Centre, which does not adequately reflect the role and views of the Centre. The need for improvement and strengthening of the overall evaluation process of the United Nations activities was discussed at the thirty-second session of the CPC. 56/

204. In summary: The experience has been that the budgetary requests of the Centre for Human Rights are undergoing major reductions, resulting in serious inadequacy of funds for the implementation of the human rights activities. This is mostly due to lack of close cooperation between the Centre, the OPPBF, and the PPBB and, in the past, to lack of full justifications of the budgetary requests by the Centre. Therefore, it is recommended that:

(a) The Centre for Human Rights strengthen its cooperation with the OPPBF for the purpose of making it more aware of the specificity of the human rights issues and their financial requirements, so that it can elicit support

for the implementation of the human rights programmes. At the same time, it should continue its recent efforts aiming at fully justifying its budgetary requests.

(b) The head of the Centre for Human Rights participate in the PPBB when the Secretary-General's budget proposals for the human rights activities are considered. This is particularly important in view of the specialized nature of the human rights issues.

(c) The evaluation process for the implementation of the human rights programme should be improved to accurately reflect the position of the Human Rights Centre.

IV. SUMMARY OF RECOMMENDATIONS

Recommendation 1:

Strengthening of the coordinating role of the Centre for Human Rights within and outside the United Nations (paras. 58-67).

Recommendation 2:

Strengthening of the political role of the Assistant Secretary-General for Human Rights (paras. 68-70).

Recommendation 3:

Increase the cooperation between the Security Council and the Commission on Human Rights (paras. 71-75).

Recommendation 4:

Increase the flow of information between the Commission on Human Rights and the General Assembly (paras. 76-82).

Recommendation 5:

Raise the level of the Centre for Human Rights to the level of a Department (paras. 128-131).

Recommendation 6:

Establishment of Human Rights Regional and Local Offices (paras. 132-137).

Recommendation 7:

Establishment of a Research and Training Institute for Human Rights, affiliated with the Centre for Human Rights (paras. 138-141).

Recommendation 8:

Establishment of a human rights library and information and documentation unit with the Centre for Human Rights (para. 142).

Recommendation 9:

Increase the human and financial resources of the Centre for Human Rights, in particular, increase the funds for the human rights programme from the regular budget of the United Nations well beyond present levels (paras. 144-165).

Recommendation 10:

Strengthening of the New York Office of the Centre for Human Rights (paras. 166-169).

Recommendation 11:

At least 0.5 per cent of the total development cooperation budgets be devoted to human rights programmes (paras. 170-173).

Recommendation 12:

Increase contributions by Governments to Voluntary Funds for human rights activities. Establishment of a board of trustees for the Voluntary Fund for Technical Cooperation in the Field of Human Rights (paras. 174-178).

Recommendation 13:

Re-examination and readjustment of the financial process concerning "ECOSOC mandates" (paras. 180-191).

Recommendation 14:

Increase the involvement of the Centre for Human Rights in the planning, programming, budgeting and evaluation processes relating to the human rights programme. The head of the Centre should participate in the PPBB, when the Secretary-General's budget proposals for the human rights programme are considered (paras. 192-204).

Notes

1/ Report of the Secretary-General on the work of the Organization for 1992 (A/47/1, para. 100).

2/ Report of the Secretary-General on the work of the Organization for 1990 (A/45/1, p. 10).

3/ Among recent resolutions calling for coordination within the United Nations system in the field of human rights are: General Assembly 46/124 on national institutions for the promotion and protection of human rights; 45/153 on new massive flows of refugees and displaced persons; Commission on Human Rights 1992/80 on advisory services in the field of human rights, 1992/38 on public information activities, 1992/28 on arbitrary detention, 1992/48 on human rights and disability, 1992/31 on the administration of justice.

4/ Official Records of the General Assembly: Forty-fifth session, Supplement No. 6 (A/45/6/Rev.1), Medium-Term Plan for the Period 1992-1997, vol. II, para. 27.8.

5/ Report of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees (A/41/324, annex).

6/ Report of the Joint Inspection Unit entitled "The coordination of activities related to early warning of possible refugee flows" (A/45/649 and Corr. (annex)).

7/ Report of the Secretary-General on Advisory Services in the Field of Human Rights (E/CN.4/1992/49, para. 31).

8/ United Nations Publication, Fact Sheet No. 18, GE.91-18616, March 1992, p. 7.

9/ General Assembly resolution 46/128 of 17 December 1991 (annex).

10/ E/CN.4/1992/AC.4/TM/8, 8 April 1992.

11/ The Management Advisory Service (MAS) Report of 1990-1991 on the Review of the Organization and Staffing of the Centre for Human Rights (internal document).

12/ Note by the Secretary-General transmitting to the General Assembly the report of the 4th meeting of persons chairing the human rights treaty bodies (A/47/628 of 10 November 1992, paras. 21 and 84).

13/ See note 1 above, paragraph 102.

14/ Note by the President of the Security Council S/23500 of 31 January 1992, p. 3.

15/ See note 1 above, paragraph 109.

16/ Ibid., paragraph 67.

17/ Ibid., paragraph 101.

18/ See note 12 above, paragraph 43.

19/ Ibid., paragraph 45.

20/ Article 68 of the Charter of the United Nations.

21/ See note 4 above, paragraph 35.5.

22/ Study prepared by Mr. Philip Alston, Professor of International Law, on the "Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights", A/44/668 of 8 November 1989, paragraph 6.

23/ See note 12 above, paragraph 70.

24/ See note 11 above.

25/ Ibid.

26/ See note 12 above, para. 49.

27/ Secretary-General's Bulletin ST/SGB/194 of 28 July 1982, General Assembly resolution 35/194 of 15 December 1980, A/C.5/37/62 of 2 December 1982.

28/ See note 1 above, para. 87.

29/ Note by the Secretary-General on the situation of human rights in the territory of the former Yugoslavia (A/47/666, para. 148).

30/ See note 7 above, paras. 14 bis and 77-80.

31/ See note 12 above, para. 52.

32/ As a result of the implementation of recommendation No. 15 of the Group of 18 (A/42/234 (f)) the staffing resources were reduced from a total of 81 in 1986-1987 to a total of 73 in 1988-1989.

33/ The first report of the Secretary-General was to the Economic and Social Council (E/1990/50 of 24 April 1990), followed by other reports to the General Assembly (A/46/603 of 25 October 1991 and A/47/702 of 20 November 1992), and the latest one to the Commission on Human Rights (E/CN.4/1993/87*).

34/ General Assembly resolutions 45/180 of 21 December 1990, 46/118 of 17 December 1991, 47/127 of 18 December 1992, Economic and Social Council resolutions 1990/47 of 25 May 1990, 1991/36 of 31 May 1991, Commission on Human Rights resolutions 1990/25 of 27 February 1990, 1991/23 of 5 March 1991, 1992/53 of 3 March 1992, 1993/52 of 9 March 1993.

35/ See note 11 above.

36/ Report of the Secretary-General to the Commission on Human Rights on the "Developments relating to the activities of the Centre for Human Rights" E/CN.4/1993/87*, 26 February 1993, paras. 3-8.

37/ Ibid., paras. 9-10.

38/ See note 12 above, paras. 49 and 50.

39/ Among the recommendations relating to the need for increase in the human and financial resources of the Centre for Human Rights are those included in the following documents:

- Report of the Human Rights Committee (A/47/40 (1992) para. 615).
- Report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1992/18, para. 386)
- Report of the Special Rapporteur, Mr. Kooijmans, pursuant to Commission on Human Rights resolution 1991/38 (E/CN.4/1992/17, para. 19)
- Report by the Special Rapporteur, Mr. S. Amos Wako, pursuant to Commission on Human Rights resolution 1991/71 (E/CN.4/1992/ para. 652)
- Report of the Meeting of Experts to review the experience of countries in the operation of schemes of internal self-government for indigenous peoples (E/CN.4/1992/42, para. 20)

40/ Résolution (92), 45 relative au Budget Ordinaire de l'Exercise 1993 (adoptée par le Comité des Ministres le 27 novembre 1992 lors de la 484e réunion des Délégues des Ministres) CM-DEL-Dec(92)484.

41/ Statement by Ambassador J. Kenneth Blackwell, on behalf of the United States delegation to the forty-ninth session of the Commisson on Human Rights, on item 25 (World Conference on Human Rights), 17 February 1993, p. 2.

42/ See note 1 above, para. 100.

43/ Report of the Secretary-General entitled "Agenda for Peace" (A/47/277-S/24111, para. 3).

44/ Report of the Secretary-General at the forty-seventh session of the General Assembly, containing the proposed programme budget outline for the biennium 1994-1995 (A/47/358, Annex).

45/ In-depth evaluation of the human rights programme E/AC.51/1989/2, para. 145.

46/ Internal document.

47/ 1991 report of the Organisation for Economic Cooperation and Development (December 1991) OECD, Paris, p. 12.

48/ Report of the Secretary-General on Advisory Services in the Field of Human Rights (E/CN.4/1993/61, Annex III)

49/ Internal documents.

50/ Internal documents.

51/ Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation (ST/SGB/PPMBE Rules/1(1987)).

52/ Secretary-General's Bulletin ST/SGB/228 of 16 December 1987 defines the terms of reference for the Programme Planning and Budgeting Board (PPBB).

53/ Secretary-General's Bulletin ST/SGB/Financial Rules/I/Rev.1 of 1970 defines the terms of reference for the Advisory Committee on Administrative and Budgetary Questions (ACABQ).

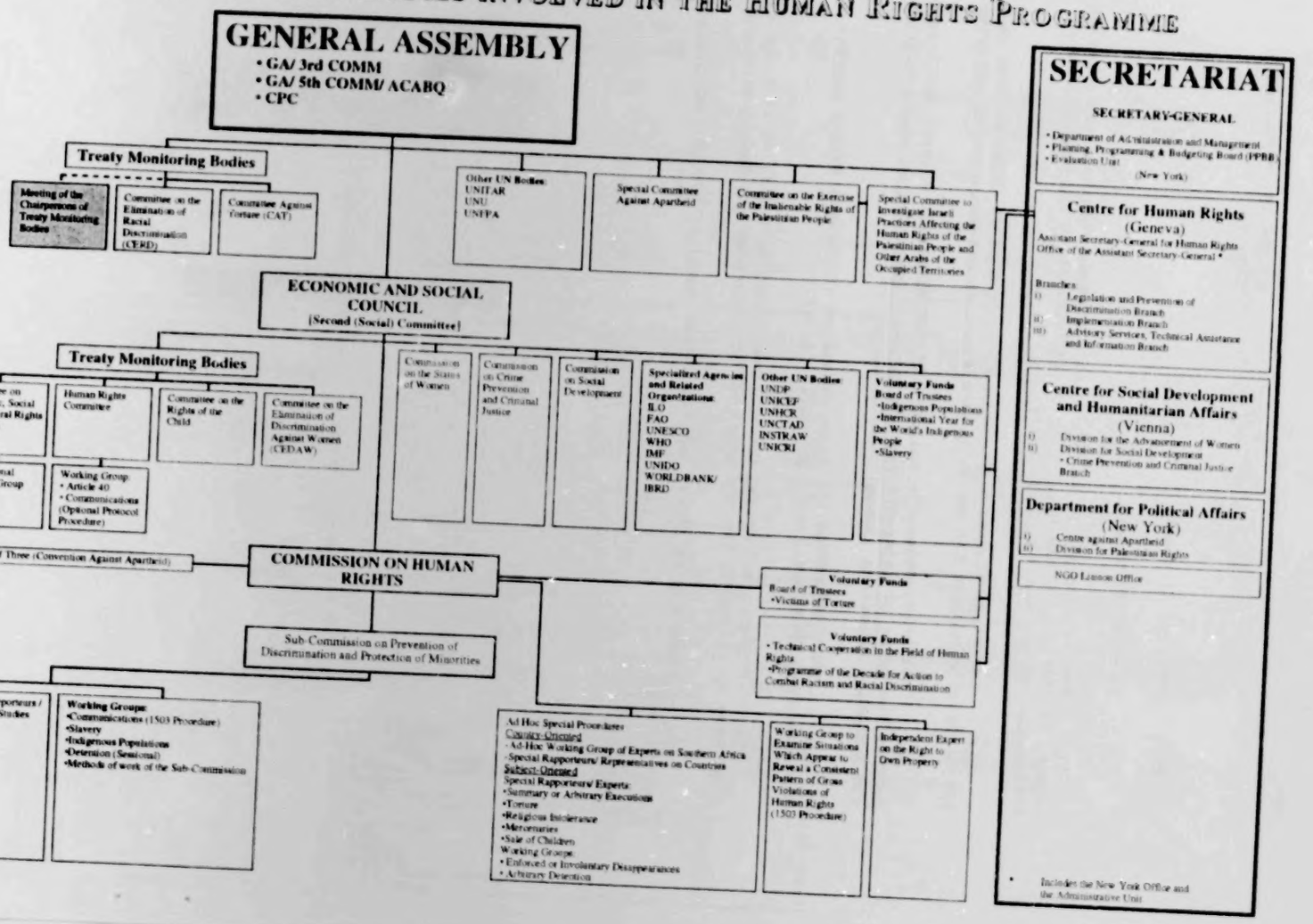
54/ Draft Report of the Fifth Committee (Programme Budget for the Biennium 1992-1993) A/C.5/47/L.20, paras. 41-42.

55/ Economic and Social Council resolution 2008 (LX) of 1976 defines the terms of reference for the Committee on Programme and Coordination (CPC).

56/ Draft report of CPC (thirty-second session) A/C.51/1992/L.3/Add.1, paras. 4-12.

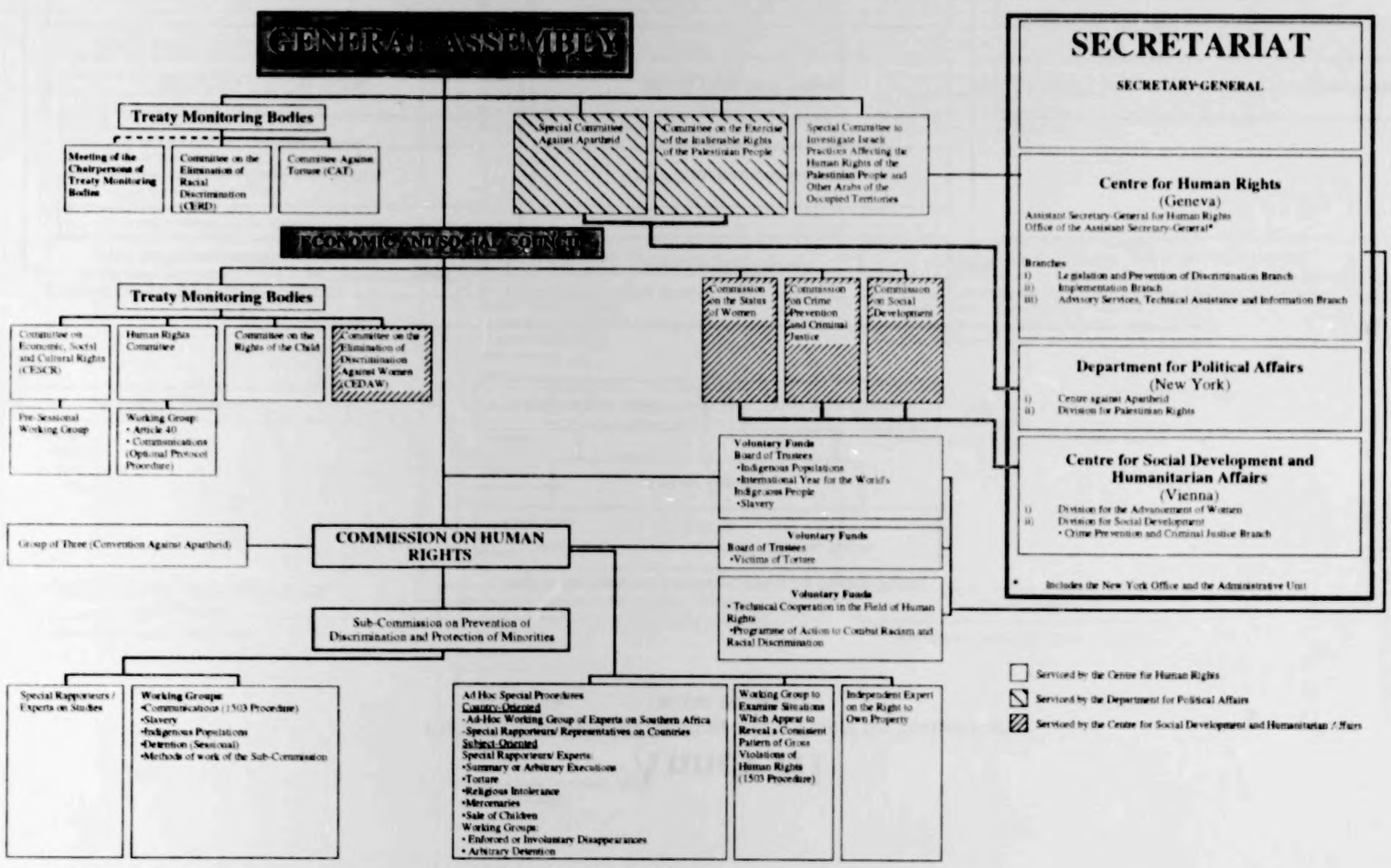
Annex I

UNITED NATIONS BODIES INVOLVED IN THE HUMAN RIGHTS PROGRAMME


GENERAL ASSEMBLY
• GA/ 3rd COMM
• GA/ 5th COMM/ ACABQ
• CPC
Treaty Monitoring Bodies
Meeting of the Chairpersons of Treaty Monitoring Bodies
Committee on the Elimination of Racial Discrimination (CERD)
Committee Against Torture (CAT)
Other UN Bodies:
UNITAR
UNU
UNFPA
Special Committee Against Apartheid
Committee on the Exercise of the Inalienable Rights of the Palestinian People
Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories
ECONOMIC AND SOCIAL COUNCIL
[Second (Social) Committee]
Treaty Monitoring Bodies
Committee on Economic, Social and Cultural Rights (CESCR)
Human Rights Committee
Committee on the Rights of the Child
Committee on the Elimination of Discrimination Against Women (CEDAW)
Pre-Sessional Working Group
Working Group
• Article 40
• Communications (Optional Protocol Procedure)
Commission on the Status of Women
Commission on Crime Prevention and Criminal Justice
Commission on Social Development
Specialized Agencies and Related Organizations:
ILO
FAO
UNESCO
WHO
IMF
UNIDO
WORLDBANK/ IBRD
Other UN Bodies:
UNDP
UNICEF
UNHCR
UNCTAD
INSTRAW
UNICRI
Voluntary Funds
Board of Trustees
•Indigenous Populations
•International Year for the World's Indigenous People
•Slavery
Group of Three (Convention Against Apartheid)
COMMISSION ON HUMAN RIGHTS
Voluntary Funds
Board of Trustees
•Victims of Torture
Voluntary Funds
• Technical Cooperation in the Field of Human Rights
•Programme of the Decade for Action to Combat Racism and Racial Discrimination
Sub-Commission on Prevention of Discrimination and Protection of Minorities
Special Rapporteurs / Experts on Studies
Working Groups:
•Communications (1503 Procedure)
•Slavery
•Indigenous Populations
•Detention (Sessional)
•Methods of work of the Sub-Commission
Ad Hoc Special Procedures
Country-Oriented
- Ad-Hoc Working Group of Experts on Southern Africa
-Special Rapporteurs/ Representatives on Countries
Subject-Oriented
Special Rapporteurs/ Experts:
•Summary or Arbitrary Executions
•Torture
•Religious Intolerance
•Mercenaries
•Sale of Children
Working Groups:
• Enforced or Involuntary Disappearances
• Arbitrary Detention
Working Group to Examine Situations Which Appear to Reveal a Consistent Pattern of Gross Violations of Human Rights (1503 Procedure)
Independent Expert on the Right to Own Property
SECRETARIAT
SECRETARY-GENERAL
• Department of Administration and Management
• Planning, Programming & Budgeting Board (PPBB)
• Evaluation Unit
(New York)
Centre for Human Rights
(Geneva)
Assistant Secretary-General for Human Rights
Office of the Assistant Secretary-General *
Branches:
(i) Legislation and Prevention of Discrimination Branch
(ii) Implementation Branch
(iii) Advisory Services, Technical Assistance and Information Branch
Centre for Social Development and Humanitarian Affairs
(Vienna)
(i) Division for the Advancement of Women
(ii) Division for Social Development
• Crime Prevention and Criminal Justice Branch
Department for Political Affairs
(New York)
(i) Centre against Apartheid
(ii) Division for Palestinian Rights
NGO Liaison Office
* Includes the New York Office and the Administrative Unit

Annex II

UNITED NATIONS BODIES DEALING WITH HUMAN RIGHTS ISSUES SERVICED BY UN SECRETARIAT


GENERAL ASSEMBLY
Treaty Monitoring Bodies
Meeting of the Chairpersons of Treaty Monitoring Bodies
Committee on the Elimination of Racial Discrimination (CERD)
Committee Against Torture (CAT)
Special Committee Against Apartheid
Committee on the Exercise of the Inalienable Rights of the Palestinian People
Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories
ECONOMIC AND SOCIAL COUNCIL
Treaty Monitoring Bodies
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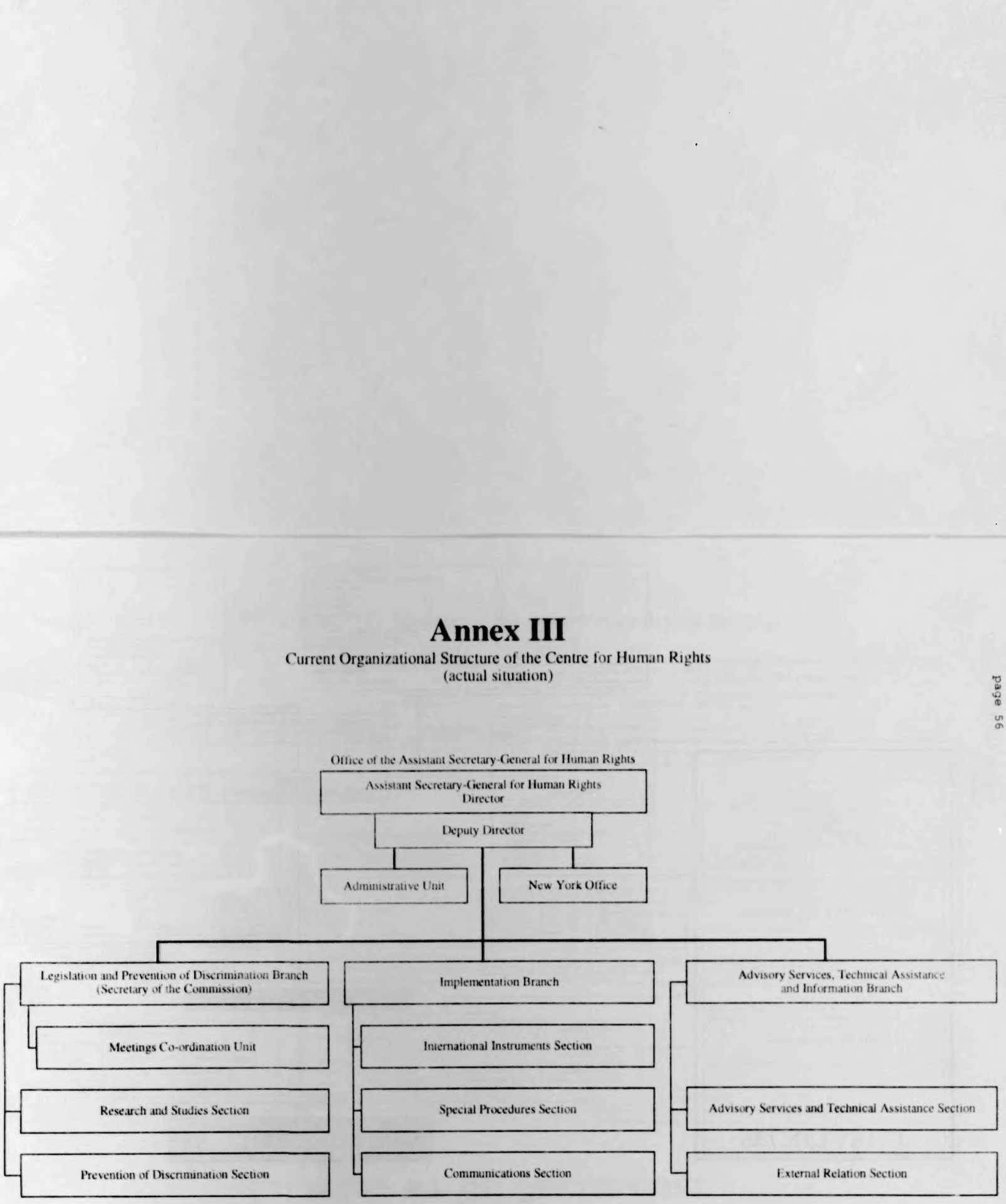
Pre-Sessional Working Group
Human Rights Committee
Working Group:
• Article 40
• Communications (Optional Protocol Procedure)
Committee on the Rights of the Child
Committee on the Elimination of Discrimination Against Women (CEDAW)
Commission on the Status of Women
Commission on Crime Prevention and Criminal Justice
Commission on Social Development
Voluntary Funds
Board of Trustees
•Indigenous Populations
•International Year for the World's Indigenous People
•Slavery
Voluntary Funds
Board of Trustees
•Victims of Torture
Voluntary Funds
• Technical Cooperation in the Field of Human Rights
•Programme of Action to Combat Racism and Racial Discrimination
Group of Three (Convention Against Apartheid)
COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of Discrimination and Protection of Minorities
Special Rapporteurs / Experts on Studies
Working Groups:
•Communications (1503 Procedure)
•Slavery
•Indigenous Populations
•Detention (Sessional)
•Methods of work of the Sub-Commission
Ad Hoc Special Procedures
Country-Oriented
- Ad-Hoc Working Group of Experts on Southern Africa
- Special Rapporteurs/ Representatives on Countries
Subject-Oriented
Special Rapporteurs/ Experts:
•Summary or Arbitrary Executions
•Torture
•Religious Intolerance
•Mercenaries
•Sale of Children
Working Groups:
• Enforced or Involuntary Disappearances
• Arbitrary Detention
Working Group to Examine Situations Which Appear to Reveal a Consistent Pattern of Gross Violations of Human Rights (1503 Procedure)
Independent Expert on the Right to Own Property
SECRETARIAT
SECRETARY-GENERAL
Centre for Human Rights
(Geneva)
Assistant Secretary-General for Human Rights
Office of the Assistant Secretary-General*
Branches
i) Legislation and Prevention of Discrimination Branch
ii) Implementation Branch
iii) Advisory Services, Technical Assistance and Information Branch
Department for Political Affairs
(New York)
i) Centre against Apartheid
ii) Division for Palestinian Rights
Centre for Social Development and Humanitarian Affairs
(Vienna)
i) Division for the Advancement of Women
ii) Division for Social Development
• Crime Prevention and Criminal Justice Branch
* Includes the New York Office and the Administrative Unit
Serviced by the Centre for Human Rights
Serviced by the Department for Political Affairs
Serviced by the Centre for Social Development and Humanitarian Affairs

Annex III

Current Organizational Structure of the Centre for Human Rights
(actual situation)



Annex IV (a)

Implementation of International Instruments and Procedures Branch

International Instruments Section

Treaty Monitoring Bodies

- Committee on the Elimination of Racial Discrimination (CERD)
- Committee on Economic, Social and Cultural Rights (CESCR)
- Inter-SessionalWorking Group of CESCR
- Human Rights Committee (CCPR)
- Working Group on Article 40 of the Human Rights Committee
- Committee Against Torture (CAT)
- Confidential Procedure under Article 20 of CAT
- Committee on the Rights of the Child (CRC)
- Inter-SessionalWorking Group of CRC
- Group of Three of the Convention Against Apartheid

Treaty-Body Coordination

- Meetings of the Chairpersons of Treaty-Monitoring Bodies

Meetings of States-parties

- CERD
- ICCPR
- CAT
- CRC

Voluntary Fund for Victims of Torture and their Families

- Board of Trustees of the Voluntary Fund

Special Procedures Section

Special Fact-Finding Groups

- Ad Hoc Working Group of Experts on Southern Africa
- Special Committee on Israeli Practices in Occupied Territories
- Working Group on Enforced and Involuntary Disappearances
- Working Group on Arbitrary Detention

Thematic Rapporteurs / Representatives

- Extra-Judicial Summary or Arbitrary Executions
- Internally Displaced Persons
- Mercenaries
- Religious Intolerance
- Sale of Children
- Torture

Country Rapporteurs / Representatives

- Afghanistan
- Cuba
- El Salvador
- Equatorial Guinea
- Haiti
- Iran, Islamic Republic
- Iraq
- Myanmar
- Former Yugoslavia

Mandates Entrusted to the Secretary-General

- Albania
- Cyprus
- East Timor
- Romania
- Southern Lebanon
- Civil Defence Forces
- Acts of Violence - Drug Traffickers
- Reprisals
- Mass Exoduses
- Human Rights and Forensic Science
- Occupied Palestine

Communications Section

ECOSOC 1503 Procedures

- Working Group on Communications of the Sub-Commission
- Closed Meetings of the Sub-Commission
- Working Group on Situations of the Commission
- Closed Meetings of the Commission

Conventional Procedures

- Working Group on Communications of the Human Rights Committee - Optional Protocol
- Closed Meetings of the Human Rights Committee
- Closed Meetings of the CERD under Article 14 of the Convention
- Closed Meetings of the CAT under Article 22 of the Convention

Trade Union Rights

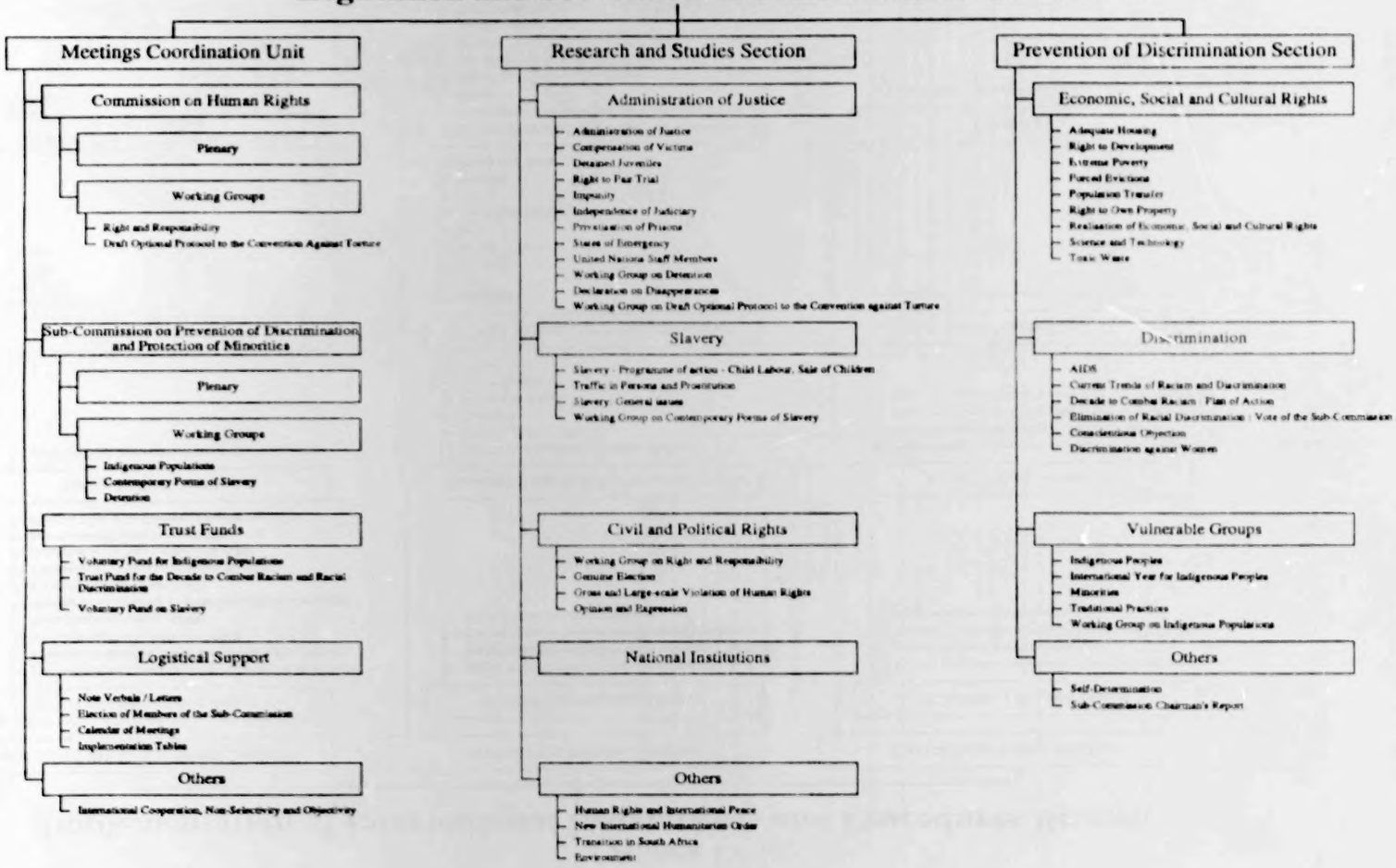
- Handling of Complaints covered by ECOSOC resolution 277 (x)

Other Tasks

- Good Offices of the Secretary-General

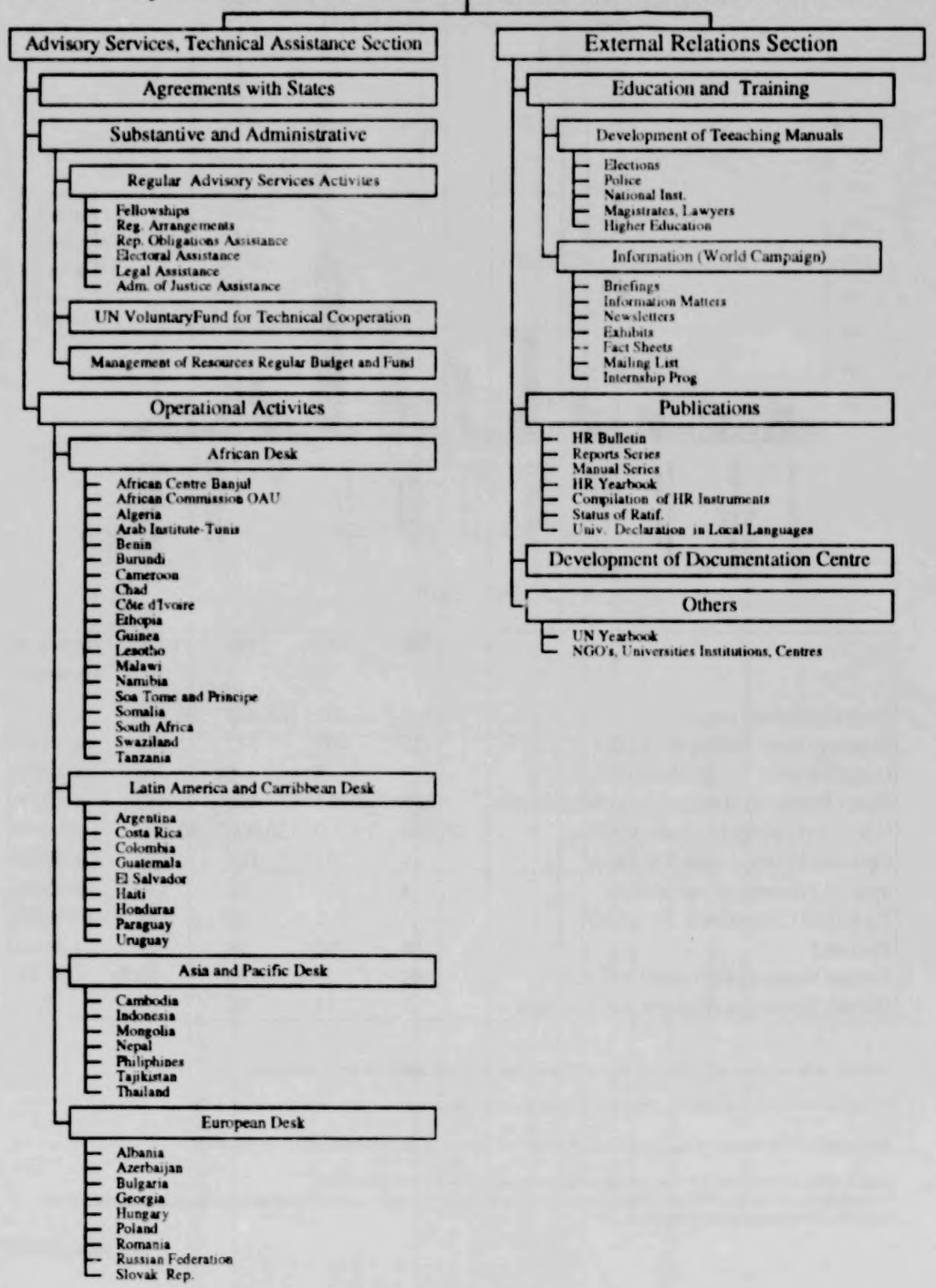
Annex IV (b)

Legislation and Prevention of Discrimination Branch



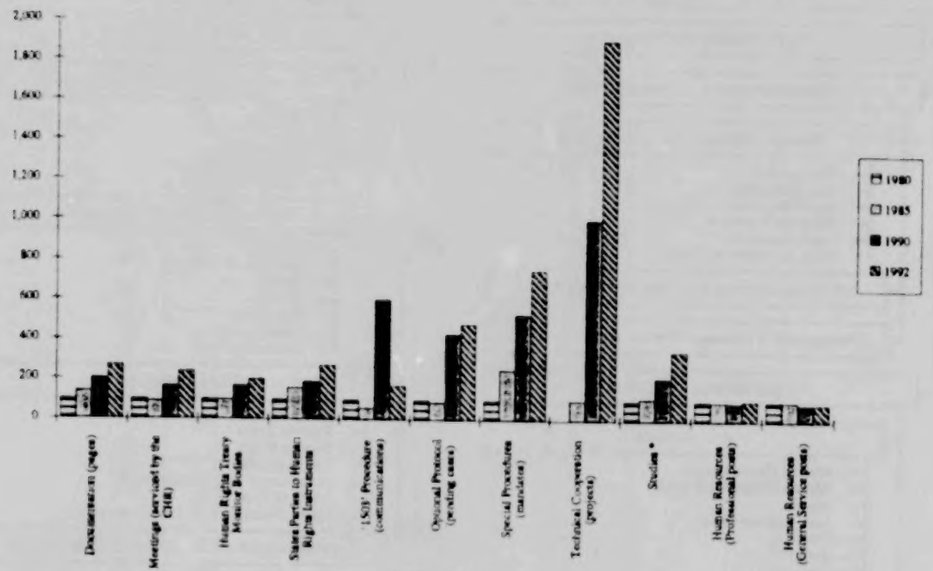
Annex IV (c)

Advisory Services, Technical Assistance and Information Branch



Annex V

Workload of the Centre for Human Rights/Established Posts
Increase/Decrease from 1980 to 1992



First Year = Base 100

	1980	1985	1990	1992	Increase/ Decrease
Documentation (pages)	32,367	45,497	65,429	86,276	+ 167%
Meetings (serviced by the CHR)	455	405	747	1,087	+ 139%
Human Rights Treaty Monitor Bodies	3	3	5	6	+ 100%
States Parties to Human Rights Instruments	240	375	450	652	+ 172%
'1503' Procedure (communications)	25,000	15,000	150,000	42,500	+ 80%**
Optional Protocol (pending cases)	29	25	124	138	+ 376%
Special Procedures (mandates)	4	10	21	30	+ 650%
Technical Cooperation (projects)	...	2	20	38	+ 1800%
Studies *	18	20	38	62	+ 244%
Human Resources (Professional posts)	48	47	45	50	+ 4%
Human Resources (General Service posts)	33	33	28	29	- 12%

* carried out by the Centre as requested by the G.A., Commission on Human Rights and Sub- Commission.

** The decline in Communications in 1992 was due to world political events and does not reflect a downward trend.

The increase in the number of mandates does not reflect the increase in the workload within the mandates.

Note: In 1992, 6 Professional and 8 General service temporary posts were provided to the Centre.
Furthermore, as of October 1992, the Secretary-General authorized 16 additional professional posts, for an initial period of six months, five of which for the mission in former Yugoslavia.

(See paras. 146-151)

Annex VI

Staffing Resources of the CHR 1980 - 1992 (Established Posts)

Professional Category and above	1980-1981	1982-1983	1984-1985	1986-1987	1988-1989	1990-1991	(1992*)
USG	-	-	-	-	a/	a/	a/
ASG	-	1	1	1	-	-	**
D-2	1	-	-	-	-	-	1
D-1	2	1	2	2	3	3	3
P-5	9	9	8	8	7	7	7
P-4	14	14	14	14	13	13	15
P-3	14	14	14	14	13	13	14
P-2/1	8	8	8	9	9	9	10
TOTAL	48	47	47	48	45	45	50
General Service Category							
Principal level	2	2	2	1	-	-	-
Other levels	31	31	31	32	28	28	29
TOTAL	33	33	33	33	28	28	29
GRAND TOTAL	81	80	80	81	73	73	79

a/ The Director General of the UN Office at Geneva, whose Under-Secretary-General post was funded under Section 1B.7 (Office of the Director-General, UN at Geneva) had overall responsability for the Centre for Human Rights, until 28/2/93.

* Note, Additional Posts: Temporary: 6 Professional
8 General Services
16 professional posts, for a period of six months.

** As of 1/1/93, the Director of the Centre was appointed Assistant Secretary-General for Human Rights.